DEMOCRATIZATION AND HUMAN RIGHTS IN UZBEKISTAN

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DEMOCRATIZATION AND HUMAN RIGHTS IN UZBEKISTAN

OCTOBER 18, 1999

COMMISSION ON SECURITY AND COOPERATION IN EUROPE,
WASHINGTON, DC

The Commission met at 2:00 p.m. in Room 2200, Rayburn House Office Building, the Honorable Christopher H. Smith, Chairman, presiding.

Commission Members present: Hon. Christopher H. Smith, Chairman, and Hon. Joseph R. Pitts.

Witnesses: John R. Beyrle, Department of State; Hon. Sodyq Safaev, Ambassador of Uzbekistan; Cassandra Cavanaugh, Human Rights Watch; Paul A. Goble, Radio Free Europe/Radio Liberty; Lawrence Uzzell, Keston Institute; and Abdurahim Polat, Popular Movement of Uzbekistan "Birlik."

OPENING STATEMENT OF THE HON. CHRISTOPHER H. SMITH

Mr. SMITH. The hearing will come to order. Ladies and gentlemen, welcome to this hearing on democratization, human rights and religious liberty in Uzbekistan. This is one in a series of Helsinki Commission hearings that we've had on issues related to Central Asia; the last one was held last May. We examined the political human rights situation in Kazakstan.

Our focus today is Uzbekistan, the most populous country in Central Asia. Under President Islam Karimov, opposition activity was tolerated until mid-1992. Since then, unfortunately, Uzbekistan has been one of the most repressive New Independent States. There are no registered opposition parties, all media are tightly censored, and there are no independent human rights monitoring organizations.

As part of the overall situation, religious liberty has been challenged. For the most part, the Jewish community has not encountered difficulties from government bodies, and President Karimov has pursued good relations with Israel. But Evangelical Christian denominations have faced official harassment. Moreover, since 1997, an ongoing crackdown on Islamic believers has been underway, as has been documented in the State Department's Country Reports on Human Rights Practices and by non-governmental human rights organizations.

In early August, I met with Ambassador Safaev to discuss many of these concerns. At the time, he said the cases of five Christians who had been imprisoned would be reconsidered shortly. Indeed, the Chris-

tians were released soon afterwards. That is a very welcome development, I want to say. I want to thank Ambassador Safaev for what I am sure was his critically important contribution to effectuating their release.

Nevertheless, there are still many concerns about human rights in Uzbekistan. In February of 1999, bombs exploded in Tashkent, killing several people and destroying government buildings. In the aftermath, the government accused an exiled opposition leader, Mohammad Solikh, of masterminding an assassination plot against President Karimov. A series of trials has been held, resulting in death sentences for some defendants and long prison terms for others. OSCE observers have expressed serious concerns about due process in those trials, the second of which was not open to the press, to observers, or to the diplomatic community.

Aggravating an already complicated situation, in August, Islamic radicals invaded southern Kyrgyzstan from Tajikistan, demanding the release of thousands of prisoners in Uzbek jails, apparently intent on establishing an Islamic state in Uzbekistan. That crisis remains unresolved, although several hostages reportedly were released recently.

Against this general background, Uzbekistan is scheduled to hold parliamentary elections in December and a presidential election in January of the year 2000. This hearing, therefore, will provide a timely opportunity to discuss the implications of political Islam in Uzbekistan, as well as prospects for democratization, fair elections, and the observance of human rights, and how the United States can promote Uzbekistan's observance of OSCE commitments.

To discuss all these complicated issues, we've assembled an expert group of witnesses. Testifying from the State Department is John Beyrle, Deputy Coordinator to the Ambassador-at-Large on the New Independent States, whose bio I will read shortly. Ambassador Safaev, who has ably represented the Government of Uzbekistan in Washington since 1996, has had a remarkably distinguished career. Before coming to Washington, he had been the State Advisor to President Karimov on Foreign Political and Economic Issues. Ambassador Safaev has also served as Uzbekistan's Minister of Foreign Affairs, as well as Ambassador to Germany and to the Organization on Security and Cooperation in Europe. He is also Uzbekistan's Ambassador to Canada.

Doctor Abdurahim Polat is the Chairman of the opposition movement. A professor of computer science, Doctor Polat took part in organizing Birlik in 1989 and was elected chairman in May of 1989. His effort to register as a candidate in the December 1991 presidential election was not successful. In June 1992, he was attacked and nearly killed in Tashkent and had to leave Uzbekistan. After spending several years in Turkey, he received political asylum in the United States where he has resided since February 1998.

Cassandra Cavanaugh is a research associate at Human Rights Watch/Helsinki, Europe, and Central Asia Division. She's also a Ph.D. candidate in history at Columbia University, where she has concentrated on the study of Russian and Central Asian relations. Previously, Ms. Cavanaugh served as Program Officer in Uzbekistan and Tajikistan for the International Research and Exchanges Board

(IREX). Upon joining Human Rights Watch in 1998, she conducted human rights fact-finding missions in Kazakstan, Turkmenistan, and Uzbekistan.

Larry Uzzell is Director of the Keston Institute, which tracks religious liberty issues throughout the former communist countries. Previously, he lived in Moscow, where he was the Institute's Moscow representative and editor of its Keston News Service from 1995 to 1999. In the 1980s, Mr. Uzzell worked as a Congressional staffer and journalist for Scripps Howard newspapers in Washington. In 1998, he was nominated for the Pulitzer Prize for his reporting on the enactment and implementation of Russia's 1997 law restoring state control over religious life.

Our final witness, Paul Goble, has frequently testified for the Commission over the years on topics relating to the USSR and post-Soviet states. He is currently Communications Director for Radio Free Europe/Radio Liberty and is the publisher of their *Newsline*. Earlier, Mr. Goble served as a senior associate at the Carnegie Endowment for International Peace, special advisor for Soviet nationality problems and Baltic affairs at the State Department, the director of research of Radio Liberty and special assistant for Soviet nationalities in the State Department's Bureau of Intelligence and Research. He has edited four volumes on ethnic problems in the former USSR and published over 200 articles on ethnic and nationality questions. Just to get back to Mr. Beyrle and then I will move to him for any comments he might have. John Beyrle is Deputy Coordinator to the Ambassador-at-Large of the Newly Independent States. He is a career foreign service officer who served in Moscow, Prague, and Sofia. From 1993 to 1995, he was the Director for Russian, Ukrainian and Eurasian Affairs at the National Security Council, and he has also had experience on the Hill, having been a former foreign policy advisor to Senator Paul Simon.

I'll ask you if you would now proceed, and then I'll ask the Ambassador for his comments.

TESTIMONY OF JOHN BEYRLE, DEPUTY COORDINATOR TO THE AMBASSADOR-AT-LARGE ON THE NEW INDEPENDENT STATES, U.S. DEPARTMENT OF STATE

Mr. BEYRLE. Thank you very much, Mr. Chairman. It's a real honor to be here today. I, through most of my professional career, have followed the work of this commission closely, and it's a pleasure to be here today. With your permission, I'll submit a longer statement for the record, and I'll summarize—

Mr. SMITH. Without objection, your full statement will be made a part of the record.

Mr. BEYRLE. —summarize from it here to give you a sense of U.S. foreign policy goals and recent developments in Uzbekistan.

The United States has significant national interests at stake in seeing Uzbekistan develop into a stable and profitable society with a democratic government and an open market economy. And to promote these interests, we have established a number of priority policy goals. First, promoting Uzbekistan's sovereignty and security to help it balance the influence of its larger neighbors, Russia and Iran. Second, strengthening Uzbekistan's commitment to democracy, the rule of law and human rights. Third, countering the global threats of the

proliferation of weapons of mass destruction and associated materials, narcotics trafficking, and terrorism. The fourth priority policy goal is supporting Uzbekistan's transition to a free market economy attractive to foreign investment, and fifth, promoting greater Uzbek involvement in regional cooperation.

We've sought to advance this range of objectives across the board—but, frankly, our success has been uneven. In particular, the Government of Uzbekistan, as you've noted, has been reluctant to engage constructively on the core issues of democracy, human rights, and economic reform. These are problematic issues that I want to discuss at greater length in just a moment. Nonetheless, we've seen some significant accomplishments in areas where other important U.S. interests are involved. On global issues, Uzbekistan has been cooperative on counter-terrorism, counter-narcotics, regional security cooperation, and non-proliferation issues. Uzbekistan has also been an ally at the United Nations, working closely in coordinating effectively with us on a range of U.N. issues. On security cooperation, Uzbekistan is an active participant in the Partnership for Peace; and to strengthen regional security, we've encouraged and assisted Uzbekistan's participation in exercises involving the Central Asian peace-keeping battalion, Centrasbat. This engagement is now paying off. We see that in response to recent incursions by Islamic militants into Kyrgyzstan, which you mentioned, Uzbekistan has coordinated effectively with the Kyrgese military, for example, to force the militants out of Kyrgyzstan.

On the non-proliferation front, under the Cooperative Threat Reduction program, the United States has been providing Uzbekistan with guidance and technical assistance in the cleanup and dismantling of a former Soviet chemical weapons production facility located on Uzbek soil. And let me mention also Afghanistan. Uzbekistan has played a central and a constructive role in the establishment of the "6+2" contact group which is dedicated to a political solution of the political crisis in Afghanistan. This active and broad bilateral relationship has been an essential element in advancing our interests. I can say that our relations with Tashkent are close: they're facilitated by frequent high-level dialogue, a very active American Embassy in Tashkent, and the bilateral Joint Commission, co-chaired by Foreign Minister Kamilov and Ambassador-at-Large Steve Sestanovich.

Another effective element for advancing our interests is our bilateral assistance program which is generously funded by Congress. The common thread of our programs is the challenge of helping Uzbekistan make the transition to a strong, sovereign, market democracy. Our military assistance programs aim to ensure that the Uzbek military sees its role as supporting democratic, constitutionally-mandated institutions. Our democracy programs support transparent and accountable governance and empowerment of citizens; and the programs that we pursue in the social and environmental sector help reduce threats to health and promote more efficient use of natural resources, such as water. Unfortunately, as I've said, success in some of these areas has not been accompanied by progress on other issues that are equally important to Uzbek success and U.S. national interests—specifically, democratization, human rights, and religious freedoms. Let me dwell just a bit on each of these.

Uzbekistan has shown little progress in democratization. You mentioned the elections that are scheduled for parliament in December and for President in January. Despite our efforts and those of the OSCE and other governments, there now appears little chance that these elections will be free or fair in any meaningful sense. There are five parties competing in the parliamentary elections, but all of them are government-sponsored, and they offer little alternative choice to the voters. Truly independent political parties haven't been allowed to register or even to campaign, nor have they been given access to the media. Barring an unexpected reversal of this situation, it's likely the United States will discourage other governments and the OSCE from fielding missions to monitor these elections.

Free and open media are vital to the growth of true democracy, but here, too, the record has been disappointing. Soviet-style press censorship remains pervasive. Almost all media outlets are government-owned and controlled. We have made clear to the Uzbek Government that these actions are incompatible with their obligations as an OSCE signatory state.

Mr. Chairman, as you mentioned and as the Commission is well aware, the rule of law remains very weak in Uzbekistan. Human rights groups have documented official action to silence individuals who try to exercise human rights and political freedoms. Police and security officials are reported to manufacture charges against individuals by planting evidence. Legal and judicial proceedings are far below international norms. Now, the U.S. Government has registered its official disapproval of this state of affairs, not only privately but also in public statements like this one and in international fora like the OSCE. And I have to say that this commission has been extremely helpful in consistently amplifying this message. We're very grateful for that. This is a kind of common engagement that we have, and it has produced results. As you noted, the government did permit registration of an officially supported human rights NGO in 1996 and the following year set up a Human Rights Ombudsman's office. Both of these entities have had some limited effectiveness in investigating and reporting on human rights violations by government officials, but we have to say the truly independent human rights NGOs continue to face difficulty, both in registering and in suffering harassment and obstruction.

The exercise of religion in Uzbekistan is hindered by the restrictive law on religion enacted in May 1998. Six leaders—that you mentioned—of the Christian congregations were prosecuted and jailed, in part under this new statute. We have argued that this law should be repealed. The government has shown some welcome flexibility. As you noted, the six jailed Christian leaders were freed in July, and the government has also facilitated the registering of some 20 religious groups this summer. These are definite steps forward, and we acknowledge them, and we welcome them; but we continue to view the law on religion as a fundamental problem, and we urge its repeal.

Although the Uzbek authorities have generally been tolerant of traditional faiths, they have persecuted religious groups relentlessly, especially the ones that they perceive as threats towards the government. Chief among those groups are the non-traditional Islamic organizations, whose members have been harassed, jailed, or forced into exile. Because they are denied any legitimate outlet for their activi-

ties, some elements of these banned groups formed the Islamic Movement of Uzbekistan, the IMU, the armed rebel group which is aimed at overthrowing the Uzbek Government. And on February 16th of this year, car bombs exploded in Tashkent—as we know—killing 15 and injuring 120 people. The Uzbek Government blamed the IMU for these attacks and subsequently greatly increased official repression of individuals and groups that were perceived to present security threats to the government. They targeted not only suspicious Islamic groups but also opposition political organizations and even domestic NGOs that support human rights. While we've condemned these terrorist actions in the strongest terms—as we must—at the same time we've stressed to the Government of Uzbekistan our very strong concern that its zeal in responding to the security threats that are posed by these actions have provoked human rights violations and abuses that will only exacerbate underlying tensions and complicate efforts to get at the heart of the problem. Although we can't yet say that the Uzbekistani Government has accepted or embraced this view, we are greatly encouraged by recent reports of the release of hundreds of young Uzbeks who were detained after the February bombings, solely because of their membership in banned Islamic groups; and we've urged follow-up action to release others among the thousands of detainees, which we would see as a very positive step toward a lasting resolution of what is a terribly difficult problem.

Mr. Chairman, in this environment, we face a real challenge in getting the most out of the assistance that Congress has authorized to promote democracy and human rights under the Freedom Support Act. As I mentioned earlier, we've sought to target this assistance largely outside Uzbek governmental channels, to try to foster democratization and civil society building at the grassroots level. Our partners in this effort are independent NGOs and neighborhood committees. These programs are offering basic civic education in seminars, town meetings, and schools. In this way, we're hoping we can create the conditions to permit democracy to take root and grow from the bottom up.

These efforts are matched by programs to increase the awareness of and respect for the rule of law. These are excellent, effective programs that we really must continue; and this underscores the importance of fully funding the administration's foreign assistance priorities, including our request under the Freedom Support Act. Mr. Chairman, I hope this testimony has made clear our recognition of Uzbekistan's continued problems in respecting the human rights of its citizens; and I hope I've also managed to highlight our own efforts to point the leadership towards a different path and also to work to instill a greater appreciation for these basic values among the Uzbek people. Uzbekistan's history and its geo-strategic position neighboring a region which is increasingly of heightened concern for vital U.S. national interests means that we simply have to continue to engage. Mr. Chairman, we're convinced that progress toward democracy is absolutely critical to establishing Uzbekistan as the independent, stable, prosperous country that we want it to be and that it desires to be; and with the support of this commission and Congress as a whole, we're going to continue to work toward that goal. Thank you very much.

Mr. SMITH. Thank you very much, Mr. Beyrle, for your excellent testimony. In the spirit of engagement, we have invited Ambassador Safaev to testify today and to be here to hear you and the other witnesses speak, but also to give him a platform to express—on behalf of his country, Uzbekistan—their views so that we can get a better understanding, not just in the many private meetings that we've had in the past but—I think equally important, if not more so—getting the forum to express his views. Then, in the give-and-take of questions, to try to narrow differences and to exchange viewpoints honestly and transparently. I think that is the beginning, and I agree with you about engagement with regards to Uzbekistan. We need to be talking, dialoguing. Good friends don't let friends commit human rights abuses. I think it's a very good point you made about our having a close relationship. We want it to be even closer. But we also want to see very real, substantial changes made with regards to human rights. Again—having said it in my opening, I want to reiterate it—we are grateful for the representation you made on behalf of those Christians. I thought it was five, but as you pointed out, Mr. Beyrle, it was six. So we thank you for that. I'd like to yield to the Ambassador now.

TESTIMONY OF HIS EXCELLENCY SODYQ SAFAEV, AMBASSADOR OF UZBEKISTAN TO THE UNITED STATES

Amb. SAFAEV. Thank you, Mr. Chairman.

Mr. Chairman, Honorable House Member Mr. Smith, ladies and gentlemen. First of all, I'd like to express my gratitude for this opportunity to speak before such a distinguished forum. I fully realize the extent of both the honor accorded to me and my responsibilities in testifying at the hearing of your commission, a body which not only has moral standards second to none but one which aspires to raise moral principles throughout the world by promoting freedom, democracy, human rights, and civil society. The role of the commission has a special significance in regard to the Newly Independent States, which have gone through and continue to experience often complicated—sometimes dramatic and tragic, unfortunately, but always exciting—processes to freedom. Uzbekistan, of course, is among them.

On the one hand, my country used to be a part of the most rigid totalitarian state, where the natural aspirations of the people were ruthlessly oppressed. On the other hand, Uzbeks today face the numerous challenges of building a secular democracy and opposing the threats of religious fundamentalism and political extremism. The country's government—let me assure you, Mr. Smith—fully realizes that the relevant response to those challenges can only be a strengthening the institutions of democracy and civil society. There is no other way to secure accord, stability, independence, and reforms. One of the most important leverages for obtaining this goal is maintaining an international dialogue over these issues, and we consider these hearings as a part of it.

I will not bore you with an extensive listing of the facts indicating how dramatically the situation in regard to democracy, human rights and religious freedom has changed in Uzbekistan. You can see this information quite plainly in your handouts which we distributed and made available before. My task, as I see it, is to share with you basic principles of governmental policy. And I think that for properly evaluating the current situation in Uzbekistan, it's very important to com-

prehend the main tendencies in its development. I also think that it would be relevant for me today to mention the major accomplishments of my country. It would be very relevant not only because of my ambassadorial duty, which I'm eager to implement. It should also be done because Uzbekistan has a bunch of—as was said before—undeniably sound successes, and it's important at these hearings to have a complete and unbiased overview; and I'm quite sure that the other invited participants will do their utmost to give another side of the picture.

I believe that the main achievement of Uzbekistan during the short period of independence was that it has managed to avoid altogether the disintegration of society, economic collapse, and country's chaos. Uzbekistan—unlike, fortunately, a lot of Eurasian states—hasn't experienced the threat of sudden mass impoverishment, civil bloodshed, and the plight of hundreds of thousands of refugees. It also has been able, so far, to effectively combat both reactionary religious fundamentalism and communist orthodoxy.

However, these threats in the case of Uzbekistan have been and still are very real. Moreover, at the end of the '80s many very influential western analysts predicted that Uzbekistan, in particular, would be a primary site for the most devastating social explosion within the so-called "belt of instability" in Eurasia. And there were other reasons for such predictions—such as economic and social contradictions reached a critical point. Tension in inter-ethnic relations was growing. The scent of social disaster was in the air. If the government did not take the most carefully considered steps, the nation's worst fears might well have been confirmed.

Lord Bryce once said, "Perhaps no form of government needs great leadership as much as democracy." Indeed, this axiom is even more true for a young democracy. Uzbekistan has been criticized for having an excessively strong executive power in relation to other branches of the civil government. I believe, however, that in a time of great transformation and in a country with such a great legacy—which Uzbekistan got from Soviet past—people rather understand the excess of executive power than forgive its shortcomings. According to a survey done by the Washington-based International Foundation for Election Systems, 76 percent of the population of Uzbekistan is satisfied with the government's job. Such appreciation is not groundless. People compare their lives with both life in the past and life in the neighboring countries. And what do they see?

They see that all institutions of statehood and government are functioning and providing them whatever the state should provide to its citizens. Salaries and pensions are being paid, hospitals and schools are working, and the rate of crime (29 cases per 10,000 people) is one of the lowest in the world. One can say that all this is of no concern of today's agenda. I think it's of concern, since we are speaking about one of the most essential human rights—to be guarded by the state from lawlessness and uncertainty.

The people also see that they have been freed from shackles of the state economy. Almost all agricultural products—two-thirds of the GNP—comes today from the non-governmental sector where 73 percent of the total Uzbek labor force works. Despite the IMF critiques, the Uzbek economy has shown an astonishing resilience. The last IMF report was dedicated to explaining what it called "the puzzle of

the Uzbek economy," which, according to theory, must have collapsed a long time ago; but it didn't. Moreover, it managed to preserve its industrial output, whereas the output in other NIS economies fell by more than 50 percent. In contrast, this is the fourth year in a row that Uzbekistan's economy has achieved a substantial growth of GNP.

The people also see that now, at last, for the first time this century, they are generally free to travel abroad. All legislative restrictions for making foreign trips—a legacy of the old system—have been abolished. As one experienced American diplomat told me, the visa regime between our countries is the freest among all CIS countries. It should be mentioned that Uzbeks have today not only theoretical opportunities to open up the world for themselves. Uzbekistan is among the few countries of the former Soviet Union with both the vision and the resources to purchase Boeings. Its national airline currently flies to 30 countries, including three flights each week to New York.

Both individuals and ethnic groups are free to leave the country, should they so desire. However, the vast majority of citizens prefer to travel abroad and then return back to Uzbekistan. For instance, Uzbekistan's 250,000 large Korean community—by the way, Mr. Smith, they are mostly Christian Protestants—has no intention to re-emigrate to the peninsula. Perhaps the reason for this is that Koreans, as well as other ethnic groups, find the existing life conditions and system of protection of their rights in Uzbekistan— freedom of forming associations, access to education and publications in all languages—as good.

The situation in the sphere of religious minorities' rights also has changed dramatically. As a beautiful embodiment of this process, right in the center of Tashkent stands a splendid Lutheran Church which has again resumed its service after long, dark years of Soviet state atheism. Once I had the honor to accompany the First Lady of United States to the synagogue in Bukhara—perhaps the oldest in the entire region, with a 500 year old history. Along with other visitors, I saw the obvious evidence of its true renaissance in the recent years. I hope you have been able to look through the data tables in the Embassy fact sheet, which contain very eloquent—to my mind—data about the growth of non-Muslim religious groups in Uzbekistan. You mentioned, Mr. Chairman, the problems of the Christian community. Let me say that today we have 139 Christian communities representing 14 different types of Christian faith whereas in 1992 there were only 48 Christian groups in existence in Uzbekistan or acting in Uzbekistan. Equally eloquent are the quotes from an interview done with the leaders of the Russian Orthodox Church, Patriarch Alexis II—by the way, a man who never wastes his words. He said unequivocally, "The good and fruitful interaction between the government and religious faiths in Uzbekistan gives a wonderful example for other new independent countries."

Another obvious accomplishment of Uzbek society has been promoting and securing the rights of women. Possibly it hasn't been among the most complicated tasks of government. One Harvard professor—a distinguished, prominent scholar of the region—always teases me, asking why the Uzbek women are clearly more vigorous than the Uzbek men. Well, I don't know the answer, but I also noticed that very often the majority—and almost always the most vocal and

active—element of Uzbek delegations coming to Washington is women—entrepreneurs, leaders of NGOs—and they definitely know how to protect their rights.

Mr. Chairman, I can continue to speak about the other elements of Uzbekistan's evolving democracy, but perhaps I should stop listing accomplishments and switch to the problems, since, unfortunately, the very agenda of this hearing shows the history of country's independence hasn't been one of only success. However, in conclusion of this part of my presentation, I'd like to state: although Uzbekistan is not fully democratic in the sense that the West understands it, although mistakes have been made, although plenty of shortcomings still exist, it is certainly the freest system under which Uzbeks ever have lived. And the nation is firmly committed to the further strengthening of secular democracy and free market.

But the question arises: why I am here being summoned before the Helsinki Commission, and why I am standing anticipating your tough comments? What caused this certain limitation for full-fledged democracy in Uzbekistan, which undeniably exists and which were mentioned by Mr. Beyrle? The candid answer is Uzbekistan has faced both internal and external challenges. During the first years of freedom, the main challenge used to be threats to independence, attempts of certain countries, once again, to subdue Uzbekistan in one way or another. Today, the names of main threats are political extremism, radical Islam, and international terrorism. And the problem is that there are the questions in international community in regard to the way that the Uzbek Government has handled these menaces. All three mentioned threats are not made up. Each and every of them separately presents a terrible danger to the young democracy. The combined magnitude of the peril multiplies much more than three times when there is a mixture of them enhanced by heavy presence of drug trafficking. Regrettably, today Central Asia and Uzbekistan do have such a dreadful combination.

It is clear today—more than at any time in the past—that the menace of the religious extremism in Central Asia as a whole and in Uzbekistan in particular is not a hypothetical one at all; and it's not a bugaboo used by the government for curtailing democracy. It is an existing reality. Some analysts say that the emergence of radical Islam in Uzbekistan was caused by wrong policy of its government, and it was somehow today repeated in the testimony of Mr. Beyrle. I think it would be a little bit of a simplified presumption. The rise of radical Islam is a result of deep-rooted, long-standing, social and economic processes in the society which had begun a long time ago during the Soviet time. These processes are similar to those which occurred once in Iran, Algeria, Tunisia, et cetera. Recently, radical Islam has been dangerously growing stronger in Russia and Tajikistan, Kyrgyzstan and Turkey—the countries with quite different levels of democratic development, governmental systems, and ways of the handling of the religious issues.

I'm speaking now about the process of transforming or demolition of traditional rules of society and problems caused by it. By the way, knowing that from the first day of independence, the Uzbek Government has concentrated on this issue. On the one hand, it implements vigorous social policy, trying to help those who are in an especially vulnerable situation. Suffice to say that 48 percent or almost half of

the state annual budget goes to welfare programs and education. On the other hand, Tashkent focuses on the issues of restoring and strengthening such important institutions of traditional Uzbek society as makhallya and mosques.

Allegations about the confrontation between Uzbek Government and Muslim community of the country are largely fallacious. It would be suicidal to the leadership to seek confrontation with 90 percent of population faithful to the religion of Prophet. After all, President Karimov, whose parents were courageous enough to name him Islam amid the height of the most brutal Stalinist purges against everything Islamic, fully realizes the creative potential of religion. In his speech delivered last month on the foundation of the Islamic University in Tashkent—by the way, the first in Central Asia—he stated, "It is impossible to imagine our nation without the holy religion of our ancestors."

In your fact sheet you could find many facts. Let me give you only one. During the long decades of Soviet state atheism, only 86 believers from Uzbekistan were able to make a *hadj.* In the first 7 years of independence, 42,000 people made pilgrimage, fulfilling one of the five primary duties of every Muslim. The question might be raised why internationally coordinated efforts of Islamic fundamentalists are concentrated now toward Uzbekistan against its current government? The answer is that Uzbekistan is not just one of many other Muslim counties. It has played—does, and probably will play—a very special role in the Islamic world. Once in the past, a powerful Islamic message was sent to Siberia, the Urals, Indian subcontinent and Western China from Samarkand and Bukhara. That's why the systematic attempts to convert particularly Uzbekistan into a fundamentalist Islamic country are not accidental.

The terrorist attack on February 16, which was mentioned today, as well as the current crisis in southern Kyrgyzstan are links in a mutually connected chain of happenings. What we have are the systematic attempts to destabilize the situation in Central Asia and particularly in Uzbekistan. Just recently, T.Yuldash, J. Namangony, and other leaders of IMU declared *jihad,* Holy War, against President Karimov. Mr. Chairman, there must be no mistake. It is a part of the jihad declared by Osama bin Laden and other terrorists against all those who share secular western values. Just yesterday, Munawar Hasan, a spokesman of Pakistan's right wing party, Jamaat-e-Islami, said, "Bin Laden is not just a name but a phenomena that embodies the *jihad*s being fought throughout the region from Central Asia to Kashmir."

Let me give you another example. Last month, the Islamic Movement of Uzbekistan spread leaflets stating that President Islam Karimov is a Jew, and that's why he pursues a pro-United States, pro-Israel policy.

T. Yuldash, the leader of the Islamic Movement of Uzbekistan, in his interview with the BBC, publicly declared his aspirations to continue the armed struggle with the secular Government of Uzbekistan. He also acknowledged his contacts with Mohammed Solikh, former presidential candidate in Uzbekistan. In his interview with The Voice of America on September 21, 1999, Yuldash stated, "I hope

that leaders of Erk and Birlik (who claim to be a democratic secular opposition) will keep their promise given to me and join a coming uprising."

Unfortunately, the leaders of mentioned democratic parties have not yet dissociated themselves from this statement. Neither have they condemned terrorist actions of Islamic Movement of Uzbekistan in southern Kyrgyzstan.

The system of imposing radical political Islam in Uzbekistan has an obvious international character. It is well organized, financed, and equipped. As everywhere in the world, terrorists in Central Asia are decisive and merciless. Compromise is not in their agenda. Sometimes, Mr. Chairman, the Uzbek Government has been accused of not being willing to talk with the Islamists. Let me give you an example to the contrary.

Last May the government declared amnesty for all Islamists who would lay down their arms. Seventeen members of Islamic Movement of Uzbekistan responded to this appeal and decided to return back home to Uzbekistan. All of them were ruthlessly massacred by Islamists near the Tajik village Hisorak. I was in Tashkent at that time, and I remember well how horrified were people in Uzbekistan by this barbarous act. Yes, Islamists and collaborators have declared *jihad* against my government. While having an Islamic appearance, it nonetheless has no relation to the philosophy of our great faith. According to the Prophet Mohammad's teaching, true jihad is individual's fight against his own imperfection, not against a political or religious rival.

In conclusion, let me point out very important moment. There is no panic in Uzbekistan. There aren't any visitor's reports about some sort of tensions in the society. People are calm and quiet; the government is confident and firm. The President has just completed his two visits to Ukraine and Korea, spending weeks abroad. The election campaign is unfolding, and all political parties in Uzbekistan are getting ready for full-fledged fight for their seats in parliament. Foreign companies are looking for new projects in Uzbekistan. A few days ago, the president of American-Uzbek Chamber of Commerce, Mr. Kurlander, visited my country and met the Prime Minister where he discussed with him perspectives for new long-term investments in Uzbekistan economy. I think, Mr. Chairman, all these facts speak for themselves. So, life in Uzbekistan is normal, but that doesn't mean that there is no ground for worry. We all—here in the United States, there in Central Asia—should be alarmed by recent rise of the new threats to stability in Eurasia. Nations and governments should join their efforts and combat together against them. That's why Uzbekistan supports the proposal forwarded by the OSCE chairman to make Central Asia and the threat to its stability a central theme at the summit in Istanbul next month.

The role of United States and its Congress in attaining this goal is crucial. The government and parliament of Uzbekistan is clearly committed to the cooperation with the United States Congress in all spheres, especially in strengthening of the Helsinki process in Uzbekistan.

Ladies and gentlemen, when I accompanied the delegation of the Conference of Presidents of major Jewish American organizations of United States to Uzbekistan, we visited the tomb of the Old Testament prophet St. Daniel, located not far from Samarkand. It was

opened to the public only recently, after independence, after being closed for a long time. There we witnessed a scene that characterized Uzbekistan better than any book or report. Representatives of three religions—Islam, Christianity, and Judaism—all prayed together at this grave. They were referring to St. Daniel in different ways; but for all of them, he was a prophet who taught piety, goodness, kindness, and benevolence. In different languages, they all asked for the same thing from God—what all people everywhere in this world pray for—prosperity for their homes, happiness for their children, and peace for their countries. I, in turn, wish the same to all of you. Thank you very much.

Mr. SMITH. Thank you very much, Mr. Ambassador for your lengthy and comprehensive statement. It does help in our understanding, and we do look forward to questions momentarily.

Commissioner Pitts does have an opening comment he'd like to make.

OPENING STATEMENT OF HON. JOSEPH R. PITTS

Mr. PITTS. Mr. Chairman, thank you for calling this timely hearing. My personal interest in the human rights situation in Uzbekistan has only increased since my trip there last December, and I look forward to hearing from all of our witnesses today. From my travels, I saw that the fear of Islamic extremism is one of the main motivating factors behind the Uzbek Government's crackdown on religious groups. Fear was a primary reason that the government passed the extremely restrictive religious law in May 1998. However, fear does not absolve governments of their responsibilities to protect the rights of citizens to religious liberty. By prohibiting unregistered religious gatherings and criminalizing free speech—peaceful religious speech—Uzbekistan violates its OSCE commitments to religious liberty and free expression. The law was raised as a concern in OSCE implementation meetings, not only by the United States but also by the European Union. The fear of Islamic extremism has also led to violations of human rights of all religious groups. The crackdowns against Muslims in the Faraganna Valley have been particularly severe, and a number of Christian pastors and layworkers have been imprisoned in the last year. Even if the fear of Islamic extremism is well-founded, the gross violations of human rights that reportedly occur in the judicial process are alarming. No democratic state can ever justify what reliable reports tell us about continuing torture, extorted confessions, or the planting of false evidence. Even in circumstances where a genuine threat exists to the well being of the state, rule-of-law and due-process norms must be followed in order to ensure that human rights are protected.

While I'm very concerned about the violation of human rights in Uzbekistan, I am also concerned that the continued crackdown on dissidents—whether religious or political—will have a radicalizing effect on these groups in society. History bears this out. Where rights of certain groups in society are routinely violated so that they are marginalized or disenfranchised, these groups often turn to more violence. This is a vicious and destabilizing cycle. The fear of violence has caused Uzbekistan authorities to crack down on dissent without protecting human rights, which has made the targets of these crackdowns into martyrs and heroes in some quarters. This, in turn, fuels

the fires of more violence. I commend the Uzbek Government's recent decision to release five Evangelical Christians and two Jehovah's Witnesses, including Pastor Rashid Turibayev, and for registering churches who have been denied registration in the past. However, these recent actions by the Uzbek government have not addressed the systemic and legal problems that lie at the root of the persecution that religious believers face in Uzbekistan. The law remains available to local officials as a tool for arbitrary harassment of peaceful but disfavored groups. I am deeply concerned about the October 10 harassment and arrest of members of an unregistered Baptist Church. Christians who participated in this Evangelical Baptist Church in the city of Karshi—along with visitors from Tashkent, Samarkand, Mubarek, and the Republic of Tajikistan—were assembled in private. According to reliable accounts, six policemen arrived at the site shortly before the beginning of this small service. The district policeman, K. Salokhov, asked those present to show their passports and then took them away. Police recorded those who were present on video camera. One man visiting from Tashkent was picked up from his knees during prayer by two policemen and carried outside. All of the men in attendance, three women, and the teenagers who played in the brass orchestra were taken away to the GOVD; a total of more than 40 people were detained.

The Christian literature in this church was thrown from the pulpit to the ground, the living quarters of the house—in the absence of the owners and without proper sanctions—were searched while everything was recorded on a video camera. The police took away Christian literature and audio tapes. The arrested individuals were interrogated, and police demanded that they write a letter of explanation. Officials beat some of the Christians in the face, head, and kidney area. The police report stated that Christians were participating in an anti-government political gathering under the direction of the owner of the house, Mr. Andreichenko. Those who refused to sign such a report and to write under police dictate were beaten. Police also yelled at those who said that they didn't understand what was written, saying, "Go back to your Russia. Why are you eating Uzbek bread and breathing our air?" One ethnic Uzbek man was threatened, and officials told him that he would not be allowed to live in the city of Kirsha because he became a Christian. As a result of intense pain from the beatings he received, Mr. Usupov has had difficulties sleeping.

One of the detainees, Mr. Nikolai Serin, gave the following testimony about the arrest. "The others were taken out of the office, and the police began to beat them with a plastic bottle filled with water in order not to leave any marks on the body from the beating. Then they began to beat them with fists. They put a gas mask over my head and turned off the air supply and began to strangle me, demanding, 'Will you write a confession?'"

At the police station, they also interrogated the deaf men. When one young man refused to sign the letter of explanation, they beat him, twisting his arm, pushing his collarbone so hard that he had to squat due to pain. They continued to press him and said, "Do you get it now?" Then they picked him up and hit his legs so that he collapsed. They threatened to make him a cripple.

These human rights abuses are unacceptable, particularly from security officials who work under the direction of an OSCE member state.

Mr. Chairman, the issues we're examining today are difficult; they defy easy answers. Uzbekistan is already an important player in the region. It has incredible potential to become an even more important leader. However, the current government policy of violating human rights of peaceful Uzbek citizens is an obstacle that must be overcome. Uzbekistan's full potential cannot be realized until these human rights issues are dealt with in a constructive and in a just way. Thank you again, Mr. Chairman, for holding this hearing. I look forward to hearing from all of our distinguished witnesses today. Mr. SMITH. Thank you very much, Commissioner Pitts.

Let me begin with our distinguished representative from the State Department. Mr. Beyrle, you pointed out in your statement that the rule of law was weak, that there was little chance for a free and fair election in the upcoming elections; and then you pointed out that our relationship is active and very broad, bilateral. We're close. As Mr. Pitts just pointed out a moment ago, some of our witnesses who will follow in the second panel will go through very strong statements in almost nauseating detail; but it's detail that must be surfaced and brought to light regarding the use of torture, regarding the beatings, similar to what Mr. Pitts just mentioned a moment ago, of both independent Muslims and Christians. As Mr. Pitts again pointed out, the 1998 law mandates up to 5 years imprisonment, but very often the hardest time is spent during those early days or weeks when the individuals are beaten, deprived of food and other kinds of torture are employed against them because of their wanting to meet and to pray and to grow in their spiritual life.

What is the United States doing specifically to protest this abuse of both the Muslims and the Christians who have been targeted? It was my subcommittee that drafted the legislation—working with Mr. Wolf—that established the reporting on religious persecution, the first annual that just completed. We heard from Ambassador Seiple, who gave very fine testimony—as to the snapshot of each country around the world and also what is being considered with regards to each country—which is still in the consideration stage, to take some effective action. And, as you know, there are sanctions delineated in that legislation for possible usage by the chief executive.

What are we doing, since this is a very real problem—notwithstanding the efforts made by the ambassador, and again, we are grateful for what he's done personally. The problem really is in Tashkent, and there seems to be a number of bullies willing and able on any day of the week to impose the harshest of measures. What are we doing, Mr. Beyrle?

Mr. BEYRLE. Well, I think that we find these kinds of abuses that Commissioner Pitts has just detailed abhorrent, and we take every opportunity to make those views known to the Government of Uzbekistan at a variety of levels. I think that it's not just a question of a problem in Tashkent. It's a question of a problem throughout the society; and it's, I think, a signal that's sent by the government in adopting a law on religion which, in effect, gives a sanction to the kind of abuses that you recounted. We're well aware of this particular case and have protested it specifically. The point that we've made to our

friends in Uzbekistan is that there's really no need for this kind of extreme reaction in the case of either Muslim or Christian believers from traditional Christian/Muslim organizations who simply want the right—the basic right that Uzbekistan has signed up to as an OSCE signatory state—to practice their faith openly and freely and without fear. And it really does come down, as you said, Commissioner Pitts, to a question of fear and distrust. We would like very much to be able to convince the leadership in Tashkent that there is nothing to fear from the free and open pursuit of religious beliefs. Surely there are concerns that flow out of radical Islam, but that's not what we're talking about here; and it's sort of the conflating of those two—the fear of radical Islam and generalizing that to religion, the practice of religion across the board—that worries us most.

Mr. SMITH. Before yielding to the Ambassador and asking him if he would respond—Larry Uzzell in his statement makes the point and I'd just like to quote it, "I studied the Tashkent government's recent concessions to some minority religious leaders. The more I study it, the less impressed I am." And he sees it more of a cynical view, that as long as the Sword of Damocles continues to hang over them—and I think we read that principally in the 1998 law but all the other trappings and the abuses that go along with it—it's not a reform. He makes the point that these people may have been let out—as does one of our other witnesses later on today—that it buys a certain amount of good will in the west; but unless you go—as I think Mr. Pitts puts it well—to the systemic problem, the underlying problem at any given day, they could re-impose this; and these people have been given their freedom, but it seems to be freedom with a leash. How do you respond to that, Mr. Ambassador?

Amb. SAFAEV. Let me first of all—if you'll allow me to speak and to respond to the Honorable Congressman. First of all, let me clarify the point about, I quote, "crackdown on the nontraditional Muslims in the Ferghana Valley." Maybe you were speaking about the actions taken with regard to the members of the Khizb ut-Takhrir party into Uzbekistan. In the fact sheet which we provided, Mr. Pitts, you can see the program of this party. It's a description of what is going on in Afghanistan implemented by the Taliban. I will not waste your time describing the problem of Khizb-ut Takhrir party, but it is unlawful, anti-constitutional; and their aim is to install a rigid, totalitarian Islamic state in Uzbekistan. Unfortunately, they were successful in recruiting the young students as their members. Some of them will be detained for some kind of work with them, explaining to them the world; and last week, as you know, afterward, they were released.

So it was not a crackdown against Islam or Muslims. It was action against the unlawful underground organization which aim is to overthrow the constitutional state of order.

I was horrified with the news which you just brought us in regards to the Baptist Church. I am a little bit aware about the situation with this particular church. There is some problem with the confession itself. Now we have 20 Baptist Churches acting freely in Uzbekistan. Unfortunately, these groups in Tashkent never applied for registration. They must do it. Let me assure you, since last our meeting with Chairman Smith, there weren't any cases when any who applied for registration of a religious group were rejected. Moreover, I'd like to explain—or maybe it's another time when I must explain—why the

Uzbek parliament adopted the law. But it's subject to the old theme of another long conversation—but there is a special commission which must consider every issue case-by-case. And again, let me emphasize that since last August there weren't any applications being turned away.

Mr. SMITH. Let me just—in our view, the 1998 law is antithetical to the Helsinki Accords themselves; and let me implore you and ask you and say that this and the police abuse remain issues that could very quickly lead to a deterioration of our relationship rather than making that relationship closer. Since you mentioned registrations, in 1997 President Karimov promised Audrey Glover, who was then Director of the OSCE Office of Democratic Institutions and Human Rights, that the Human Rights Society of Uzbekistan would be registered. Why haven't they been registered? They still remain unregistered and the request has been made repeatedly that they be registered.

Amb. SAFAEV. Who?

Mr. SMITH. The Independent Human Rights Society of Uzbekistan.

Amb. SAFAEV. It doesn't relate to the religious—

Mr. SMITH. No. Now we're talking about human rights monitors independent of the government. In this commission—and I've been on the commission now for 17 of my 19 years in Congress—we have always looked at Helsinki monitors; and that's what we would regard them as—the people that you put the sandbags around because they're the ones who are blowing the whistle on everyone, whether they be independent actions of tyranny or government tyrannical actions. Here's a group that—since 1996, we know that there was a promise made but not kept.

Amb. SAFAEV. First of all, I'd like to inform you, Mr. Smith, that in recent years, completely new institutions of human rights protection emerged in Uzbekistan. It's a movement for human rights in Parliament led by a very capable chairman. The institute for monitoring of the current legislation, the National Center for Human Rights and the Center for Public Opinion Studies. Many are non-governmental organizations. So all Helsinki documents, including the charter for human rights, were translated and released in thousands of copies, and they are available for Uzbek citizens.

I can bring you a lot of facts showing that both the Ombudsman and the National Center for Human Rights act very productively protecting real human rights, and I think that it showed that government fulfilled its promise to register the human rights institutions in Uzbekistan. With relation with this mentioned by your organization, let us say that, frankly, I don't know the details of this.

Mr. SMITH. It's the Independent Human Rights organization, which I know you are familiar with because I've raised it with you before. Mikhail Ardzinov, as we know, was beaten on June 25, 1999. Our embassy in Tashkent, as well as the OSCE Central Liaison Office, confirmed that he was savagely beaten. Has there been any policeman arrested in connection with that beating?

Amb. SAFAEV. The investigation showed that there is no proof that he was beaten by the police. The short answer is this. I informed you that I contacted directly the Minister of the Interior in Uzbekistan. I heard his explanation of the situation; it's not closed. It's continuing, the investigation. So far, nobody was punished for this incident.

Mr. SMITH. Well, again, this remains one of those types of issues that rise to the highest levels between governments because it is in microcosm a true reflection on whether or not due process rights—which Mr. Beyrle talked about as being weak, as to whether or not they—are going to break forth in Uzbekistan or whether or not it's policy as usual; and this is an issue that this commission looks at very carefully to see whether or not. And I would just say parenthetically, this is something we do with other countries, as well. I know in my subcommittee we've had hearings on policing in Northern Ireland. Here we're dealing with a well-founded democracy, the UK, which actually this nation—as you know—was spawned from, and yet policing remains a major issue; and even one of our witnesses who appeared to denounce the lack of due process in Northern Ireland was murdered and maybe with police complicity or maybe not. We do not know.

But I just make that point because here's a case where somebody was beaten and beaten rather severely. The prime suspicion is that the police were involved. We would hope that there would be a transparent investigation that got to the bottom of that, and those who have committed this atrocity be held to account, no matter where it goes in terms of how high up.

I'd like to yield to Mr. Pitts for any questions he might have.

Mr. PITTS. Thank you, Mr. Chairman. Mr. Beyrle, some people think that the policies of Uzbekistan's government towards religious Muslims are the primary, if not the sole, cause for terrorism inside Uzbekistan and Kyrgyzstan. Do you share that view or would you expect terrorism in Uzbekistan even if the regime were more liberal?

Mr. BEYRLE. I think that we would agree that the polices of Uzbek Government have exacerbated some of the tensions. There's no question that the IMU has declared a policy of attempting to undermine or even destroy the government in Uzbekistan and the authorities in Tashkent have the obligation and the right to deal with that. But we have to remember that the IMU was in exile in Tajikistan as a direct result of the repressive policies of the Uzbek Government towards illegal groups, and the group itself was illegal because of the very kind of distrust and fear that you have cited.

If you deny people the legitimate outlet to express their opinions, you may force them in the direction of illegitimate and violent methods to make their voices heard, and I think that's the point that we've tried to make to the Uzbek Government. Perhaps the recent release of hundreds of young Uzbeks who were rounded up off the streets in the wake of the February bombings is one signal that this message is starting to hit home, but I think we see it as our responsibility to continue to engage the Uzbeks to make our very strongly held views on this known.

Mr. SMITH. Mr. Ambassador, would you care to comment?

Amb. SAFAEV. It's a very important question. I don't want to give you some simplified answer. Referring to my testimony, Mr. Pitts, I'd like to reply that unfortunately such terrorism emerged not only in Uzbekistan. I'm not making an assessment of wrong or good policy of my government. Look to Russia. Look to Turkey. Look to other countries. Radical Islam is a phenomenon of this time. And Mr. Beyrle said that this emerged after the people were sent to exile in Tajikistan. I'd like to tell him how it happened. I was there in Uzbekistan.

I accompanied my president to Namangan in 1991. It was for the election campaign of president. He was seized by those same people who demanded, "Tomorrow, you will declare Uzbekistan an Islamic state." He said no. You can kill me, I will not declare it Islamic. Afterwards, they said we nevertheless will fight for making Uzbekistan an Islamic state. They created the penal structure making their punishment resembling lynching that occurred, acting as a government. Any authority won't tolerate that issue, and they were asked to adjust; and they left Uzbekistan, joined the united Tajik opposition, and I don't think that it was policy of Government of Uzbekistan who forced them to leave. It was from the beginning their choice to fight for Uzbekistan and an Islamic state.

In conclusion, I would like to tell that emergence of radical Islam is a phenomenon of the demolition of traditional rule of society. It's a problem. It cannot be solved by one two side actions. It must be comprehended theoretically. Next month there will be conference dedicated to the radical Islam in Central Asia and Caucasus. We're working, we're thinking. We're trying to understand the phenomena and find that optimal equilibrium of the actions.

Mr. PITTS. Thank you. Mr. Ambassador. President Karimov also said that the formation of democratic opposition is a question of time. Now, question of time, even if sincere, could stretch into quite a long period, considering the uncertainty in Tajikistan and Afghanistan and recent events in Kyrgyzstan. What kind of time frame do you think he has in mind? Amb. SAFAEV. I think that there is not some definite time showing the deadline. And first of all, I think that it's not only his point of view. I can quote the distinguished Doctor Brzezinski who also thinks that problems involving the democracy in Central Asia will take some time. The point is—again, let me repeat it—today Uzbeks are living in the freest society which they ever have lived. Today they have—next December, maybe it's a week—elections; but next December in every constituency, they will have four candidates. First time we will have a choice between the different candidates, electing their member of Parliament.

And maybe normally, people say this is government created parties in Uzbekistan. I know personally the chairmen of these parties. I respect their independent minds, and I respect them personally. Moreover, I respect tens of thousands of people who joined this party trying to pursue and find their role in politics; and I don't want to humiliate them, saying that you are governmental organized party. Let them have it. Let them fight for their governmental seats. Let them learn democracy. And I don't think that there can be some time framework, but probably it would be too old Soviet-style for the approach saying that in 20 years there will be communism. Mr. PITTS. Mr. Ambassador, two pastors remain incarcerated after the October 10 raid a few days ago; these individuals are Boris Balan and Alexei Ondicherko of the unregistered Baptist Church. They reportedly have been beaten. Would you please convey to your government our deep concern over this raid and the treatment of these two pastors? Amb. SAFAEV. Definitely, Mr. Pitts. I knew that this issue would be brought up today; and this morning I contacted top-level officials in Tashkent to find out, said, "What are you doing? I'm going to testify today before the Congress, and you are creating a problem for me." What you brought up, Mr. Pitts, is one side. I haven't heard another side. Let

me fairly investigate the report from another side, and I promise to bring you, to my mind, fair information about the situation. Maybe the situation is such or can be pictured in black on the white paintings. And what's most important, I was told by the top-level government officials, let them just give us a piece of paper applying for registration and it will be done. Let's assure Congressman Pitts that there will be no problem. And I have fulfilled that with pleasure. Mr. SMITH. I understand they were unregistered. It's an unregistered congregation.

Mr. Beyrle, some have suggested using sanctions for moving governments to change tactics on the grounds that this gets the attention from leaders. What kind of things are possible? Sanctions or do you know what the State Department feels about this idea?

Mr. BEYRLE. Well, I think sanctions can be an effective way to force change of tactics in government where you really don't have any other way to send a message, where there are no diplomatic relations, where you're frozen out from any kind of meaningful dialogue. And I don't think that's the case with us in Uzbekistan. We clearly don't like everything that's being done there, and we talk about that very honestly. But this is a country that basically, I think, wants to have a friendly relationship with the United States. It's signed up to OSCE principles, and it's important for us to continue to keep that dialogue open because the dialogue has produced some results, as we noted. The problem is you can say, as we did, that we're encouraged by the release of the six pastors, but the fact is they never should have been imprisoned in the first place. I think this is not an open-ended equation. In the past, I think we've seen enough progress to justify continuing, for example, our assistance programs. But we need to see evidence of serious concern on just the kind of issues we talked about today. Serious human rights abuses of the kind that are simply abhorrent to all of us when we hear about them. We need to see concerted action being taken by the government to make sure that the people who are responsible for that are punished, to send a signal that that's wrong, that that's not going to be tolerated. And it's progress on that front, if we see it, evidence that these are serious concerns for the government in Uzbekistan that allow us to be able to continue to say we want to have bilateral assistance. The repeal of the religion law would constitute a major signal of the seriousness of the government.

Again, I want to urge that, as we have many times in the past. It's been said many times here today. I can't think of a single act that would send a better signal of the seriousness with which the Uzbekistan Government is willing to deal with this problem. But sanctions can also be counterproductive. We have some serious programs underway with the Uzbek Government which very much answer our own interests: counter-terrorism, counter-narcotics. We've made a lot of progress, and I would hate to see those have to be cut off by an across-the-board sort of sanctions cut. We have flexibility within our assistance program. We've used it in the past, for instance, to pull back on electoral assistance, for example, when it's simply not warranted, which I think is the case for these elections coming up. But as long as we have an open dialogue with the Government in Uzbekistan, as long as we're able to talk frankly about these things and we see results from that, I think we need to keep engaged.

Mr. PITTS. I concur with your opinion about repealing the religious law. I traveled in eight countries in Central Asia in November and December of last year and found that many of them have adopted a law on religion similar to that of the former Soviet Union. I met with the Russian authorities in January and expressed that same sentiment to them that even though they may not have police brutality in Russia, the harassment that occurs by a number of sectors of society can be a form of ostracism. In our conversations, I urged the Russians to reconsider their implementation of that law. Thank you for your comments.

Mr. SMITH. Thank you, Mr. Pitts. Just some follow-up questions.

Cassandra Cavanaugh will be testifying momentarily. She is the Human Rights Europe and Central Asia Division Coordinator and has made trips to Uzbekistan. She points out in her testimony that Uzbekistan routinely violates all of the basic rights guaranteed to its citizens and other residents by international and domestic law. Deterioration in basic human rights and freedoms which began in the early 1990s has intensified to such a degree that the country now faces an armed insurgency poised outside its borders, suggesting that the repressive measures themselves, which have been in existence obviously before this threat that has been repeatedly mentioned by the Ambassador—that it becomes self-fulfilling prophecy. You put people down hard enough, they begin responding. First, they escape. Some leave and go across the border, while others look for some way of retaliating. Rather than having a democratic society that allows all players to express themselves at the polls, allowing ERC and Birlik to register. As you know, they're still not registered and maybe you might want to comment on that. There's also evidence in the testimony talking again about the torture, that the trials that were monitored by Human Rights Watch—they state the evidence amounted to little more than confessions or denunciations extracted under torture. And then, finally, the cynical view about the recent release, which we've all spoken of; and I do see it as a positive, but there is another side of that coin, that concessions granted cheaply are ultimately counterproductive and only give Uzbekistan the opportunity to continue repression with assurances of impunity. As you said, Mr. Beyrle, they shouldn't have been arrested in the first place; but if the accolades that come from their release glosses over the systemic problem that continues and persists so that more—and especially the independent Muslims—are rounded up and tortured and thrown into long prison sentences because of that, we have only kidded ourselves.

How do you respond to this testimony? And I have to say, Human Rights Watch, like Amnesty International and the others—they are honest tribunes of human rights. You mentioned Turkey. This commission repeatedly has taken Turkey to task. When I led the OSCE delegation to St. Petersburg, we had a bilateral with the Turkish delegation. It was very cordial, but very frank; and I brought up a number of cases of torture against individuals and journalists and the Kurdish situation, and these organizations have been in the vanguard speaking out in Russia, too. But like Mr. Pitts, I've raised the issue in Russia of religious persecution and their law. Spent a week there in Moscow with Doctor Billington, the Librarian of Congress, trying to admonish, to encourage, to dialogue, that they get off of this path which will lead to more repression. So we're trying to be consistent

with this Commission. We want to sing praises for Uzbekistan, not have these kinds of hearings where we've got to also raise the serious issues of repression.

How do you respond to the human rights question?

Amb. SAFAEV. First of all, I would suggest or recommend to be cautious to define the group of the people detained in Uzbekistan as independent Muslims. I think that it would be more precise to define them as a member of the Hizb-ut Takhrir party, which is unlawful, which is obviously aimed to impose the Islamic state. And I think that the fact that they were able to recruit thousands of young people in Uzbekistan shows the seriousness of the problem. The people were detained with one aim: to work with them. They were not arrested, not harassed, and there was not some kind of a trial. They were released afterwards. In regards with Human Rights Watch—as I said to you, Mr. Chairman, once—I personally, and many people in Uzbekistan, have appreciated the role of Human Rights Watch. I fully agree with you that it's very important to have such an organization which will monitor the situation in regard to the human rights, freedom and civil society, every society. As you said, every society has a problem, and to have such an organization who can reflect, register, and bring to the attention the concerns is very important.

During the last month, I have been in a couple of meetings, both in Europe and Washington, with the leader of Human Rights Watch. We welcome next month's visit of Holly Cartner, one of the leaders of the Human Rights Watch to Uzbekistan where we are committed to continue our dialogue. Again, let me tell you one point. It must be considered in the tendency of evolution. In 1993, it was impossible even to have a dialogue between the Human Rights Watch and Uzbekistan, and now we have their permanent representative in Uzbekistan. We have an OSCE liaison office in Tashkent which must strengthen up the Helsinki process in Central Asia overall. So I can only react to your question that we welcome the cooperation with them. We welcome their dialogue, and it will be not fruitless dialogue.

Mr. SMITH. Let me just reiterate something I said earlier in the strongest possible terms. An ending of the torture and the beatings is something; if this commission has no other role, it is to try to ensure that people—even people whom we're diametrically opposed to and disagree with—are not tortured, are not subjected to this horrible mistreatment that scars people for life.

I'm the prime author of a bill called the Torture Victims Relief Act. We passed it a couple of years ago. It's now law, and we just did the re-authorization. It's now pending on the Senate side, having passed in the House. But in working on that law, we had numerous people who had been victimized by torture but also those who treat them as these torture centers. There's about a dozen of them. More than a dozen. About 15 of them in America, about 180 to 190 around the world. And the long-term psychological effects on someone who has been subjected to torture has made me want to do at every opportunity what we can as a Congress to end this barbaric practice; and to think it's going on—perhaps even now as we meet at this hearing—is dismaying, and it's something that—if I can convey to you as chairman of this commission, it just—has to stop because nothing will do more to unravel our relationship than the ongoing use of torture

against people, even if they have committed a crime. I mean, forced confessions when somebody is getting their face pummeled don't hold up in court here nor should they in Uzbekistan.

Let me just ask Mr. Beyrle one question. In his testimony, Mr. Goble—who, as I pointed out, has frequently come and testified before us—points out that the U.S. military has been especially supportive of Tashkent, arguing that Karimov may be a bastard but he's our bastard and providing Uzbekistan with a variety of both practical and symbolic assistance that the Uzbeks have trumpeted.

Do we have a JCET [Joint Combined Exchange and Training] program or a military-to-military program in Uzbekistan? What kind of vetting goes on when we have that relationship with the military? My subcommittee has been very—and I led the effort on this—critical of what's going on in Indonesia where we actually trained many of those who are part of their Red Berets. We've also raised issues for years about what was going on in Rwanda in training those folks who were using sniper training against what we believe to be refugees. What kind of training do we have going on with the military?

Mr. BEYRLE. Well, we have a fairly strong military-to-military relationship, as I said, and it's part of our effort to help strengthen the sovereignty of Uzbekistan and ensure some stability, not only in the country itself, but also within the region. It's important to understand that this support goes beyond just straight military training and cooperation. For us, the interaction and training that comes along with the U.S. military assistance is one of the best ways to help teach the Uzbek military that it has a role constitutionally to help the country along this process. It's an evolutionary, transitional road that they're on now from a communist Soviet past to what we hope will be a brighter future.

I think the IMET program that we had in 1999 is funded at about $500,000. I mentioned that the CENTRASBAT, the Central Asian Battalion—the sort of joint training exercises that have gone on have actually, we think, paid some dividends because when the Kyrgyz Government appealed to the Uzbeks for some help in expelling the IMU terrorists or the IMU insurgents from Kyrgyz territory, there was some very useful military coordination that took place there which actually allowed, in our view, that to happen. Of course, in order to qualify for this kind of training, the embassy has to certify—has to do human rights certification on the military, and my understanding is we've been having to make that certification up until the present time.

Mr. SMITH. If you could, for the record, provide the Commission with all of the details; and I appreciate you had them at your beck and call, but, I mean, I'm sure there's a bunch more that we would like to know about the military pursuant to IMET. And if you could, provide in that answer on training if there's any record kept of those whom we train. Again, this is a whole different part of the world—not that far really—but I was shocked when I found out that Kopassis was being trained by the United States as part of a JCETS program. We asked repeatedly for information and didn't get it, and our subcommittee does have oversight responsibilities with regards to that; and we even had some people testify, including P.S. Lustolenon, who had been terribly tortured at what he believed to be a military base. He was blindfolded by Kopassis troops. He didn't know for absolute sure, but he heard reveille every morning, and he heard other bugle

sounds throughout the day as he got his face pummeled or was beaten by people that he could not see. So I would want to know—and we would want to know—about the training because, again, the use of torture is real in Uzbekistan, and hopefully there's no—however unwittingly, any—complicity by the United States Government, but it's something we do want to pursue.

Mr. BEYRLE. Sure. I'll be very happy to provide you with a lot of detail on that. As you mentioned, I don't have it right here, but happy to do that.

Mr. SMITH. Mr. Pitts, do you have anything further?

Mr. PITTS. Just one other question for the Ambassador. I think you mentioned reactionary religious fundamentalism and communists. What do you believe to be the most effective ways that the Uzbek Government has effectively combatted these groups?

Amb. SAFAEV. First of all, if you allow, Mr. Pitts, I'd like to address the chairman and tell that, Mr. Chairman, your message about the church is so important; and you correctly said there is no guarantee that there is not torture, and we know that can happen. Institutionally, probably, there can be some legislative obstacles and frameworks; but, nevertheless, we must watch. We must sincerely engage in this process. I told in my testimony that this Commission has the moral standards second to none. First of all, I remember our conversation with you, and I remember your messages. I think that my duty is to bring those unbiased messages to Uzbekistan and try to do something together.

A little bit about your exchange of views with Mr. Beyrle about the military cooperation: it's not the time, probably, to speak about geostrategy. We're thinking about other, very important issues. But I think that the fact of United States and Uzbekistan and military cooperation is so important that eventually it will have an impact to improving the human rights situation in Uzbekistan. My President's point of view is that the more the United States is in Central Asia, the better for stability. The presence of United States in Central Asia is the presence of democracy, transparency, and predictability. And, after all, it's not just about the military-to-military. It's something more than that. That's why I would urge you to support more military cooperation between our two countries. I think that the fact that Uzbekistan is only country among the CIS countries which has any foreign troops in its soil, it speaks for itself. Mr. SMITH. Just briefly. I think the greatest way to guarantee that military-to-military cooperation is to improve the human rights issue.

Amb. SAFAEV. Absolutely.

Mr. SMITH. Otherwise, it is an absolute disconnect.

Amb. SAFAEV. Coming back to your very serious fundamental question about what can be done. I think that, first of all, it must be education. Let me refer to two points. Now we have 300 Uzbek students studying in universities of United States, studying law, studying market economy, and studying mathematics. We have 300 other Uzbek students studying in Germany, Great Britain, Japan—all funded by the Umit Foundation, which means hope. We hope that these people will bring back not only knowledge; now we're working for setting up the independent, western-style Stanford University in Uzbekistan. We work together with Harvard, we work together with American University, Indiana University; and we hope that those universities

will be not only about the knowledge but will be bringing the ideas, values, and it will be for the purpose of secular democracy. I think that education—primary education, higher education—are the best leverage to protect the country from reactionary fundamentalism.

Next is, I think, economic development. And certainly impoverishment is probably the most important factor behind any fundamentalism. So it was in Russia when bolshevism came; so it was in Germany when Nazism came. If we will not be able to manage the economic problems in Uzbekistan, probably the reactionary fundamentalists will have more chances to succeed.

Mr. PITTS. Thank you, Mr. Chairman.

Mr. SMITH. Thank you. I'd like, Mr. Ambassador, to ask you whether or not you can provide the Commission some assurance for the continued safety of religious liberty advocate and Pastor Dennis Podorozhny, with whom our staff has met and about whose safety we are concerned. Amb. SAFAEV. Of course, let me just speak about the details. I don't want to just be a yes man. I'd like to be constructive; and if you will provide me with some details, I will personally assure you and promise to do whatever in my capacity.

Mr. SMITH. Thank you. And I want to thank both of our witnesses for the sensitive statements they've made today. It's been very helpful to the commission. Mr. Beyrle, Mr. Ambassador, thank you.

Mr. PITTS. Pleasure.

Mr. SMITH. I'd like to ask our second panel if they would make their way to the witness table. Beginning with Ms. Cassandra Cavanaugh, Paul Goble, Larry Uzzell and Mr. Abdurahim Polat. Ms. Cavanaugh, if you would begin?

TESTIMONY OF CASSANDRA CAVANAUGH, RESEARCH ASSOCIATE, HUMAN RIGHTS WATCH/HELSINKI, EUROPE, AND CENTRAL ASIA

Ms. CAVANAUGH. First, let me express my thanks to the commission for the opportunity to participate in this very timely and very important hearing. Human Rights Watch is a non-governmental, nonprofit organization. We work to document the state of human rights in Uzbekistan, have done so since 1990, and as the Ambassador mentioned, since 1996 we've had an office there in Tashkent.

I've recently completed two research trips there to document torture of religious Muslims in Uzbekistan. We've focused a good deal of attention during this hearing on the insurgency in Kyrgyzstan of members of religious organizations, of Uzbek members of religious organizations, and I would like to emphasize that our organization believes that this is a wholly preventable conflict and that it has resulted directly from Uzbekistan's contempt for its own citizens' rights. Despite the fact that Uzbekistan's population is at least 80 percent Muslim, persecution of Muslims not affiliated with state-controlled congregations remains one of Uzbekistan's major human rights problems and has given rise to this recent outbreak of violence.

Let me summarize the origin of this problem and the scope of the human rights issues that it involves in order to put the disturbing developments of 1999 into context briefly, and then briefly I'd like to comment on some of the things that we feel the United States should be doing in order to persuade Uzbekistan to fulfill its OSCE commitments.

So why would a state wish to unleash such cruel repressions against members of a religious majority? Some background may be helpful to understand this. The Soviet Union, as we all know, subordinated Uzbekistan's Islamic heritage to a militantly anti-religious ideology. Generations of secular Uzbek elites balanced a split identity between Uzbek, which was inherently Muslim, and Soviet, which is inherently atheist, while the population at large remained nominally Muslim, but continued to adhere to popular Islamic rituals emptied of much of their religious content. When Uzbekistan became an independent state, President Karimov, formerly the head of the Uzbek Communist Party, seized upon the revival of Islam, many believe, as a means of self-legitimation. Now political ends aside, this opening created an opportunity for Uzbeks to rediscover their faith and, through the influx of foreign Muslim missionaries, literature, and money to build mosques, to reconnect with the world Islamic community or the *umma*.

This revival, however, contained an inherent tension between state-controlled Islam, on the one hand, and the thousands of independent mosques and congregations which sprang up. Uzbekistan retained—it's important to know—the Soviet system of regulating religion through a government agency, the Muslim Spiritual Board, which approved all serving clerics. Many people viewed government-appointed clerics as a corrupt and unauthentic holdover from Soviet times; and, therefore, they sought out independent Islamic leaders. In the early 1990s, the government itself, through the Muslim Spiritual Board, tried to encourage the growth of different Islamic groups, sometimes as a means of controlling the burgeoning crime rates; but the government cut off any attempts to blend Islam with politics as ruthlessly as it repressed the secular democratic opposition, banning the Islamic Renaissance Party of Uzbekistan. To this date, the whereabouts of its leader, as you know, remain unknown.

So as early as 1992, the government started to use outbreaks of violence as a pretext for cracking down on Islamic movements it saw as becoming too powerful. In 1997, however, after the murder of several policemen in the Ferghana Valley, the government unleashed a full-fledged campaign against the so-called Islamic extremists it blamed for the crime. While eight men were ultimately tried and sentenced, probably hundreds more were detained and imprisoned, solely on the basis of their affiliation with suspect religious figures. This crackdown culminated in the May 1998 law which we're discussing today, which, as we know, tightened controls on all forms of religious practice—banned proselytizing, forbade the wearing of so-called religious dress (which is not defined in the law), and outlawed all religious teaching, literature, and organized prayer not registered by the state.

By the fall of 1998, a clear pattern of targeting independent Muslims for arrest emerged in all regions of the country, not just in the Faraganna valley. Some have estimated that in late 1997-1998 over 80 percent of all mosques that were working in the country were closed. Members or alleged members of groups such as Hizb-ut Takhrir—which has been mentioned today, but not exclusively that group—were particular targets for arrest. I should mention that Hizb-ut Takhrir, according to publicly available literature, is known as the

Party of Liberation, and its avowed aims include the reestablishment of the Islamic caliphate through exclusively non-violent means. It abjures any violence in bringing this about.

By February 1999 when the bombs exploded in Tashkent, the state security ministry had reportedly compiled lists based on neighborhood government associations—lists of thousands of suspect Muslims who were systematically arrested, town-by-town, in the months following the explosions. The day after the bombings, before the investigation had even begun, the president and the minister of internal affairs both blamed Islamic extremists in league with the exiled leader of the secular opposition group. The state has tried several groups of men for the crime thus far, allowing human rights monitors to attend only the first trial—which we monitored—and fell far short of the most minimal of standards of judicial fairness. And one might ask if these are truly the suspects of a terrorist act or constituted as a security threat, why the state found it necessary to manufacture evidence against them or to coerce their testimony by torture, which they themselves spoke about during their time in court.

So in May of 1999, Uzbekistan amended the law on religion, making it stricter still, adding more severe criminal penalties for memberships in so-called religious extremist organizations.

So what was society's reaction? Well, at least among a certain group of people faced with the prospect of arrest and torture, over 1,000 Uzbeks—mostly young men, some with families—fled to neighboring Tajikistan. There they joined a group of Uzbek citizens reportedly led by an Islamic leader who had fled there in the early 1990s—whom Ambassador Safaev spoke about—and fought in Tajikistan's civil war. The refugees joined him in territory controlled by Tajikistan's Islamic opposition. After the Islam-led United Tajik Opposition reached an accord with the government—which had been under heavy pressure from Uzbekistan to expel the Uzbeks—the coalition Tajik government announced in August that it would voluntarily repatriate its guests back to Uzbekistan.

At this point, groups of armed men from this settlement, we believe, decamped for Kyrgyzstan, seized hostages there, and issued two demands: safe passage into Uzbekistan and for the Uzbek Government to free what they claim are 50,000 wrongly imprisoned Muslim believers.

We don't know—and I don't think anyone knows—the number of Muslims arrested on the basis of their religious convictions. The government provides no information about the identities or fates of the detainees; and the trials are often closed—now increasingly closed—even for members of their own families. Local and international human rights groups have interviewed several hundred family members of detainees, however, as well as the occasional Christian person who is freed from detention and believe that the number may reach into the thousands, if not the tens of thousands.

From the testimony that we've gathered, we see the following patterns of human rights violations: Arrests are discriminatory. They're based on evidence of identity such as beard wearing—which is now extremely rare—and regular attendance at suspect mosques, prayer—regular prayer, either individual or in groups—or un-state licensed Koranic study. We interviewed several people whose families say they were picked up because they led Koranic study groups in their neigh-

borhood. Police often plant evidence—and we've discussed this today in the hearing—which forms the basis for the initial charges. Small amounts of narcotics, ammunition, or, increasingly, banned religious literature—sometimes in combination all three. The authorities act as hostage-takers. They arrest family members, or they occupy family homes to coerce the appearance of a wanted person. Family members have also been sentenced to prison terms, solely on the basis of their affiliation with suspected religious figures.

Incidentally, some family members who answered the government's call this May to turn in their sons or their brothers who had been affiliated with Islamic groups found that they themselves were arrested, or the people that they turned in were not pardoned but arrested themselves.

From beginning to end, the right to a fair hearing is violated. There are increasing reports of deaths in detention. Being accused is usually tantamount to being convicted, as a presumption of innocence is entirely lacking.

What offenses are these Muslims convicted of? They often include the attempted overthrow of the constitutional order, membership in these extremist organizations, terrorism, or subversion. In trials which we've monitored, the state's evidence has amounted to little more than confessions—as you noted—or denunciations extracted under torture. The mere fact of having someone claim that you are a member of these organizations is usually enough to give you a very long prison term.

Sentences can amount up to 20 years. From 15 to 20 is not uncommon. And they're served in reportedly extremely inhumane conditions. The government is building what can only be described as a concentration camp, reportedly exclusively for Muslim prisoners at Jaslyk, which is in the ecological disaster zone of the Ust-Yurt plateau. According to the Human Rights Society of Uzbekistan, there have been at least 38 prisoner deaths in this facility since the beginning of the year.

And finally, even those attempting to defend the rights of persecuted Muslims now face the same fate. Early in October this year, the state sentenced a member of the Independent Human Rights Organization of Uzbekistan, Ismail Adylov, to 6 years in prison for subversion on the basis of religious leaflets which, according to witnesses, were planted by the police in his home.

So what should the United States be doing to promote Uzbekistan's compliance with its international human rights commitments? We know that the State Department in its annual reports—the government is constantly commenting on these problems, and it acknowledges the scope of human rights violations in Uzbekistan. But we believe that the United States must move beyond talking about the threat of terrorism, not justifying repression. Clearly, the problem in Uzbekistan is not one of lack of technical capability for reform, but one of lack of political will. We, too, think the United States should take the opportunity of the upcoming Istanbul OSCE Summit to highlight these problems. But admonition alone, even the most persistent, has had little effect up to this point, and we believe it will continue to have little effect. What recent experience shows is that the threat of sanctions can bring change. Just before, as we all noted, the State Department issued its First Annual Report on International

Religious Freedom, Uzbekistan freed all its known Christian prisoners and promised registration for the congregations as well as claiming to have freed—as this is as of yet unconfirmed—over 200 Muslim prisoners.

As you pointed out, we think that easy concessions are counterproductive in the end. After freeing the Christians in September, Uzbekistan escaped the sanctions or reportedly escaped designation for sanctions under the Religious Liberty Act, but it continued—as we heard from Commissioner Pitts—to repress not only Christians but Muslims as well in increasingly severe ways. Therefore, we urge you to make Uzbekistan subject to all of the effective measures provided for under the Religious Freedom Act, tied to specific and systemic change required to address these problems.

We also believe that any assistance through the Export/Import Bank or open credits with Uzbekistan—a persistent and gross violator of human rights—should be scrutinized very carefully. Finally, certification of assistance for Uzbekistan's state security forces—even counter- terrorism aid, which we know is important for other U.S. aims—should also be questioned hard and long pursuant to the Leahy Amendment.

In conclusion, I'd like to note the importance of this hearing in a year when human rights crises, which have been festering for decades in East Timor and Kosovo, broke out into open conflict, requiring the international community to make very difficult and very costly decisions on intervention. I hope that this hearing indicates that the human rights crisis in Uzbekistan will not have a similar outcome.

Mr. SMITH. Thank you very much for your excellent testimony. As you know, I read it before you presented it; and it did spark some of the conversation with the earlier panel. Hopefully the answers we get back from both the administration and from the Ambassador will help focus on the issue that you raised, because I think it was very well laid out; and I do appreciate the good work you've been doing.

Mr. Goble.

TESTIMONY OF PAUL GOBLE, COMMUNICATIONS DIRECTOR, RADIO FREE EUROPE/RADIO LIBERTY

Mr. GOBLE. Thank you, Mr. Chairman, first and foremost, for holding this hearing. This is absolutely essential for the prosecution of American national interests. But we do not always understand that, I'm afraid. And I'd also like to thank you personally for inviting me again to appear before you and your commission because this is one of the greatest honors that's bestowed upon me, and I'm very grateful.

I want to stress at the outset that what I'm going to say this afternoon is my own personal view, and I also would ask your permission to give a very summary statement of my testimony. I've submitted a fuller statement for the record.

Mr. SMITH. Without objection, your full statement will be made part of the record.

Mr. GOBLE. Thank you, Mr. Chairman.

In its dealing with the Republic of Uzbekistan, the United States, like all other countries, must combine three often competing sets of interests: geo-political, economic and political. Focus on only one of these interests almost inevitably leads to problems. Worse, focus on

the first and second to the exclusion or downgrading of the third—our interest in seeing Uzbekistan become a free society with a democratic government— is almost certainly shortsighted and also counterproductive.

That is because we are unlikely to be able to achieve the goals we seek in the economic and geo-political spheres if we ignore Uzbekistan's problems in making the transition to democracy, or if we repeatedly and quite clearly indicate that we have subordinated this issue in the name of maintaining good relations in the other two.

This afternoon, I would like to make this argument by looking at three things. First, I'd like to look at Uzbekistan's interesting combination of strengths and weaknesses, and I'll do that in a very summary fashion. Then I'd like to look at the way in which Tashkent itself—often with the understanding, if not active support of outsiders like ourselves—has been in the process of converting Islam from a religion to a political force of enormous and destabilizing size, just as has happened before, I will argue, in Iran. It has been Western policies of supporting governments that claim commitments to secularism which has transformed a religion that is not by itself fundamentalist or extreme into a political movement that is both.

And finally, I'd like to just summarize some of the broader challenges that Uzbekistan and her neighbors in Central Asia are going to be facing over the next decade, challenges that almost certainly mean that the current arrangement of power that we see in the region won't be there a decade hence, that this is likely to be one of the most unstable and violent areas of the world; and that, in and of itself, will have consequences for the United States.

First of all, Uzbekistan presents a serious challenge to itself, its neighbors and the West, precisely because of the peculiar combination of strengths and weaknesses of that country, a combination which I will argue is likely to prove increasingly explosive over the next few years. Uzbekistan's strengths are obvious. It is the largest country in Central Asia as measured by population. It has an authoritarian government which can deliver and is more or less functional. That is to say that when President Karimov promises something will happen, it's much more likely to happen when the president of any other country in this region makes a similar promise simply because he controls levers of power in ways that few other leaders in this region do.

It enjoys the support of the United States and a number of other Western governments, precisely as a major security player in the region, and is—by virtue of location and structures inherited from the Soviet past—capable of playing a major role in the internal and external affairs of all the countries in the region. But its weaknesses are equally obvious and those weaknesses are, in many cases, the flip side of its strengths. Its population is growing at a rate that threatens the capacity of this or any other state to service or control. Its authoritarian government is behaving in ways to make the future after Islam Karimov likely to be significantly less stable than it is today. Its ties with Western countries—as has been mentioned here several times—are extremely fragile. Whatever one would like to see between the United States and Uzbekistan will become extremely difficult to continue if things get worse and are likely to be suspended for reasons that Tashkent has little or no control over because there are broader processes at work in the world. And finally, Uzbekistan's

location and the structures which the Soviet state set up create expectations which the Karimov regime is unlikely or unwilling to be able to meet but will certainly give the appearance of trying; and that will lead to the kind of overreach—both in terms of crackdown at home and involvement in neighboring societies in Kyrgyzstan, Kazakstan, Tajikistan, and Afghanistan—that almost certainly will destroy any possibility for the evolution of that society in the short term.

Uzbekistan's ability—let me focus on only one part of this—to do these things is almost certainly the product of its current highly authoritarian and at least temporarily functional government. Islam Karimov, it is sometimes said, is the only person who did not leave the Soviet Union. Rather, as people in Tashkent put it, the Soviet Union left him. In large measure, the Karimov government in Uzbekistan is as repressive as the Soviet past and in some ways more repressive. But unlike many of its neighbors, it can deliver the goods most of the time, hence, winning a certain support because it provides a kind of stability and, hence, being able to provide the kind of statistics which all too often are used to measure society's health and well being.

Moreover, the ability to maintain control over the levers of control guarantee that what expressions of the opposition do reach the West will reach it in a way that will undermine how much credit they are given. Indeed, the Karimov regime has become notorious for its ability to manage the news and structure the way people think about things. They have learned extremely well how to put things in a language which people in Washington and other Western capitals will see as positive—including, as I'll argue in a minute, the exploitation of Islamic fundamentalism which, as I always say, is better than saying Beetlejuice, Beetlejuice, Beetlejuice, and removing whatever backbone may exist in some Western capitals.

One of the most ominous features of the post-Soviet landscape is the ongoing construction and use of camps for political opponents—something that has just been mentioned. These camps far too closely resemble the gulag of the Soviet past; and even if no one is ever confined to them—and the question as to whether anyone is there is still at issue because there are disputes about that—the fact that they exist and are known to exist casts a chilling shadow across the entire country and, indeed, across the entire Central Asian region.

But because of this repression, Uzbekistan looks stable; and stability in a region with very little of it is a highly valued thing. Indeed, the appearance of stability has attracted outside—and especially American—support. While no one believes here, I don't think, that Karimov is an especially positive figure in democratic terms—unless we can have a hyphenated democracy, in which case it's always possible, guided democracy, future democracy, something else—a large percentage of people here in the United States and elsewhere seem to view Karimov as the best prop against Russian influence in the region and as the best means for the West to gain a foothold of influence there.

Uzbekistan has courted the support, not only by its outspoken hostility to Russian designs but even by voting with the United States at the U.N. when virtually no one else did. The Uzbek Embassy here was in excelsis not long ago when only Israel and Uzbekistan backed the United States on one resolution, seeing that as an indication that

Tashkent had closely aligned itself with the United States. But that appearance of stability, I believe, is extremely deceptive, and I'd like now to point out just what the most important of those weaknesses are.

The biggest weakness is that the open question in Uzbekistan is, "After Karimov, what?" As long as he is on the stage, Karimov may be able to keep control of the situation through highly authoritarian means and especially as a result of his status as the man who led Uzbekistan to independence. But like the leaders of other countries across the region, he is aging and will eventually pass into the next avatar. The fact that this is so has become the basis of calculations by his opponents who realize that his days are numbered; and it suggests that his policy of driving those opposing underground means that his power is going to be ever more brittle, even if it appears externally ever stronger.

In the short term, others—outsiders, including us—are likely to bet on the strength, even as they acknowledge the brittleness. After all, Karimov can deliver. But over time, that is going to prove a very thin reed on which to rely. And consequently, we must be prepared for radical changes in Tashkent, changes made more radical and dangerous precisely by the apparent stability we see there today.

My second point is about Islam. Many people around the world have learned from the United States and from Western countries a vocabulary about how to discuss Muslims. Islamic fundamentalism is not something that is inherent in Islam. Islamic fundamentalism is a product of the West's interaction with Islamic societies. The fact is that Islamic fundamentalism in its modern form came from European and sometimes American support of highly repressive regimes in Algeria and in Iran, which had the effect of destroying all other aspects—other possible supports for civic society—and meant that all political opposition was visited on Islam, which then became politicized.

There's no such thing as Islamic fundamentalism. Fundamentalism doesn't come from this particular kind of society or religion, but it is a vocabulary that the minute you can announce that your opponents are Islamic fundamentalists, you can expect to get support or at least sympathy from many people in the United States.

Now, Islam as a religion does not represent a threat to either the social order or the political arrangements in Uzbekistan, but Islamist politics do. Indeed, precisely because of the behavior of the government in Tashkent, Islamist politics are likely to be the most potent force over the next 30 years. This apparent paradox reflects three things that are almost always neglected in Western analyses of Uzbekistan. First, Soviet policies had the effect of removing the content of Islam while leaving the label as an important marker of identity, thus opening the way for its fundamental redefinition by political entrepreneurs, either supportive or opposed to particular regimes. You will recall that during the first Chechen War, Moscow repeatedly said that Jokar Dudaev of Chechnya was a Muslim fundamentalist fanatic. I knew President Dudaev. I spoke to him on his satellite phone, and President Dudaev once said to me, "Mr. Goble, I'm a good Muslim. I pray three times a day." Well, the answer, of course, is Mr. President, good Muslims pray five times a day. He had been a communist since he was 18 and a Major General in the Soviet air force.

The idea that he knew how many times he should pray was, of course, absurd. But many people in the West were prepared to accept charges that he was some kind of an Islamic fundamentalist.

Second, as has been mentioned, post-Soviet regimes like Uzbekistan have continued the Soviet practice of denaturing Islam, even as they have put new minus signs or plus signs in front of the values that were accepted. And third, precisely because the Karimov regime is able to contain most of the other elements that could provide the basis for the emergence of an independent civil society there but refuses to deal with Islam in a supportive way but cannot eliminate either this primordial tie or the institutions supported, the Uzbek regime has put itself at risk of going precisely the way of the Shah of Iran. We are likely to see Islamic fundamentalism, quote/unquote, in Uzbekistan precisely to the extent that the Karimov regime continues its crackdown against the society and for exactly the same reasons it happened in Algeria and—to a lesser extent because of a slightly different religious situation—that it happened in Iran.

Tashkent, as has been mentioned, has its own official Islamic establishment. It claims to be speaking in the nature of Islam and has regularly invoked Islam to support the regime. But at the same time, it has sought to restrict any Islamic claims to greater participation in political life and thus continues the process of denaturing Islam as a religion and making it more available as a political mobilizing tool. And we, in the name of supporting secularism, have often accepted that line of argument without remembering where it led to in Algeria, in Egypt, and in Iran. And this means that many of the people who appear weak and small and marginal are first not Muslims in the first instance. They are using Islam as a mobilizing tool, and second, that they will find evermore success in doing so to the extent that Karimov denies them the opportunity to identify with other groups in a civil society or—pro civil society—to move toward the future.

Now, my third point and conclusion. It has sometimes been observed that futurology is the last refuge of Sovietology precisely because both fields have so few facts to deal with, and those who engage in it can seldom be shown to have been entirely wrong. As someone who's practiced that discipline, I'm delighted to say that's so. But obviously, we do have to look to the future, because that's the only place we're going to have any impact, although in some countries, rewriting the past is becoming an increasing enterprise too.

Let me just tick off five things that are going to underline any treatment of Central Asia, of Uzbekistan, our policy there, and that are going to play into the politics because I think we need to just remember them as we talk about the human rights in motion. First is the demographic explosion. We see today the analyses of what happened in Pakistan as a result of dramatic population growth. The same thing is happening in Uzbekistan. Enormous explosion straining the ability of the regime to cope, making it ever more brittle.

Second, there is going to be a fundamental problem of arranging for a generational succession of the political elite. Not just Karimov but the entire political generation that came to office with him. It's not clear at all how that will play out. Third—a bigger problem which we mentioned—the Ferghana valley. The biggest problem in Central Asia is going to be fighting over water. What is going on in Southern

Kyrgyzstan, what is going on in Tajikistan, what is going on in Southern Kazakstan, has a lot less to do with Islam and a lot more to do with control of the water supply; and that tends to be ignored in all of the discussions that I've seen in the west.

Fourth, we live in an age when people are going to demand more political participation. Mr. Karimov is on the wrong side of history. I'm happy to report that several hundred thousand people each month send in email messages from Uzbekistan to Radio Free Europe/Radio Liberty where I work. We know they want to be involved in political participation. I just hope nobody is making a list of these people for use to fill up one of these large tombs.

And finally, there is the question of the international environment. Russia is, as we know, currently a failed state; but it is likely to become a more dominant player in the region over the next decade, precisely because of its relative, rather than absolute, power. And to the extent that Uzbekistan can sell itself as the only possible prop against the expansion of Russian power, there's going to be ever more sympathy or willingness to look the other way in terms of what it does in human rights.

Hearings like this, Mr. Chairman, may make that less possible. I very much hope so. Moreover, there seems to be a shift away from attention to Central Asia in general and Uzbekistan in particular by Washington and by many countries in Europe.

But this shift of isolationism or withdrawal, fatigue—whatever you call it, whatever the reasons are—is largely over issues the Central Asians themselves can do little or nothing about. But what will give the West leverage in the future—even as it may have pulled back in terms of what it will do, but I personally would like us to make very sure we're not providing any support to security forces that may be misusing it—is to tell the truth. To not call people who are dictators democrats, to not suggest that people are in a transition to democracy when brutality continues; to start telling the truth. If we don't, not only will the situation get worse in Uzbekistan, but we will lose whatever moral authority and suasion we might have; and if we do that, we will find ourselves driven back into a situation in which we will either not be able to do anything or where we will have to use devices and levers that most of us would prefer never to see used again. Thank you, Mr. Chairman.

Mr. SMITH. Thank you for your excellent testimony. Hearing you testify reminded me of the decisive testimony you gave us on Chechnya some years back when you pointed out that the United States had literally given the green light to the Russians to invade; and, regrettably, it's deja vu all over again with regard to Russians in Chechnya. And let me also say—and Mr. Pitts asked that question earlier—about the time line and the supposed evolution: how long does it take? It just struck me that only God can claim the credibility that a day is like a 1,000 years and vice versa. How long can a dictatorship posit that it is moving in the right direction when the evidence all around it suggests otherwise? So I thank you for your testimony and for your very incisive commentary.

Mr. Uzzell.

TESTIMONY OF LARRY UZZELL, DIRECTOR, THE KESTON INSTITUTE

Mr. UZZELL. Thank you very much, Mr. Chairman. It's an honor, as it always is, to be invited to testify before this Commission; and, as always, it's a personal pleasure to me to be working with my old friend Chris Smith in this cause. Thank you for inviting me here. I want to emphasize that by holding this hearing you're advancing the cause of religious freedom, not only in Uzbekistan, but also in Russia, where I spent most of the last decade. I have repeatedly heard complaints from my Russian friends about what they see as a double standard in Washington; and, to a certain extent, I have to admit that they are right. They point up that Congress and the U.S. media have repeatedly protested over loud violations of religious freedom in Russia but have paid comparatively little attention to far more serious violations of religious freedom in places such as Uzbekistan; and I hear this even from my friends in the Russian parliament. Even from people who are strong advocates of human rights and opponents of Russia's 1997 repressive law. So just the mere act of holding this hearing makes the job of your parliamentary counterparts in Moscow easier and certainly makes the job of Keston's Moscow bureau easier.

With your permission, I will condense my statement. Some of the points that I wanted to make have already been made far better by others. The full statement is available for the record with your permission.

Mr. SMITH. It will be made part of the record.

Mr. UZZELL. And also, I have submitted for the record a recent article from the Keston News Service, with your permission, on the recent events involving the Independent Baptist Church.

Mr. SMITH. Without objection, that too will be part of the record.

Mr. UZZELL. Thank you, Mr. Chairman.

You have quoted yourself, Mr. Chairman, my observation that the Sword of Damocles has really not been removed. I think it's important to stress that the believers who recently have been released from prison have only been pardoned or have had their sentences suspended. The government in Tashkent has not admitted, either formally or informally, that the arrests were wrong to begin with. It has not compensated the arrestees for the damage that was inflicted on them. It has not even returned all the property that it confiscated from them, nor has it punished or disciplined or reassigned or even reprimanded the officials responsible for this persecution; nor, of course, has it repealed any of the harsh provisions of the 1998 law—which cannot be stressed too often. This is the most oppressive of all the laws in the former Soviet Union on religion. I go into more detail about that in my written statement.

Commissioner Pitts has summarized the situation with the Independent Baptist congregation. I will not repeat what he said. I do want to say that in November the United Nations Committee Against Torture is going to review the periodic report of the Government of Uzbekistan, and the maltreatment of these Baptists and of other prisoners is certain to come up for discussion on that occasion. Keston will be submitting a statement for the U.N. Committee's review, which I will be happy to share with your Commission, Mr. Chairman.

Let me depart from my written statement to say something else about the Independent Baptists. The Ambassador said that we have here a problem within the church itself. Well, with all respect for Ambassador Safaev, that's just not the case. We're talking about two different churches. Not all Baptists belong to a single church—especially not Baptists as compared with other forms of Christianity. We're talking about a group that in Russian is called the *initsiativniki,* the initiative group or independent Baptists who, throughout the Soviet Union—including both Russia and Uzbekistan—in the early 1960s split off from the main line Baptist Union because the mainline Union refused to make some of the comprises that you had to make in order to get registered by what was then a totalitarian atheist state. For example, the Independent Baptists refused to promise not to teach religion to children; and, as a result, they could not get registered.

Those Independent Baptists to this day regard the Government of Uzbekistan and the Government of Russia with great suspicion. To this day, they refuse to apply for registration in both countries. I suppose the best example, the best parallel you could find in the United States, is a group like the Amish which try to lead a life apart. They are totally apolitical. It is simply absurd, even by implication, to imply that to tolerate these groups is to give any kind of encouragement to political violence, to civil war, or to terrorism, any more than the Amish are likely to engage in terrorism in the United States.

Members of Keston, I personally have visited initsiativniki parishes all over the Soviet Union. It's even hard to find out where they are. When I visit a provincial town, my first task is always to go find the *initzsiativniki* because I know they're the hardest group to find. They are so closed in within themselves. When I go to visit them, one of the first questions they ask me is, "What is your religious faith, Mr. Uzzell?" And I tell them that I'm a practicing Orthodox Christian, which leads them to a 45-minute attempt to convert me before I can begin asking my questions as a journalist; that's just one of the sacrifices I make in the search for truth in Russia.

They have not succeeded in converting me; I have not succeeded in converting them. These are extremely principled, tough, tenacious, admirable people. They have their flaws. They are paranoid. But even paranoids have real enemies.

I never thought that I would cite Russia's 1997 law as an example for another state to follow. My position on that law is well known. I won't repeat it. But I think it might be instructive for the government in Tashkent to look at the way the Government of Russia treats the initsiativniki, the Independent Baptists. It does not criminalize their private activity. Independent Baptists, like other unregistered groups, are allowed to gather in their own homes, have their own Bible studies. The state does not interfere with that. The 1997 law—and this provision of it I strongly oppose—theoretically outlaws commercial activities, educational activities, and media activities by independent Baptists, since they are not registered. But what I find in practice when I travel around Russia is that for the most part—not entirely but for the most part—these restrictions are not observed. I frequently see Independent Baptists passing out literature on the street corners. They threaten no one by doing so. As I say, nobody could make even the most remotely plausible case that these groups are linked to any kind of politics, much less to terrorism.

Uzbekistan's approach to this group makes Russia look like Canada by comparison; and if Tashkent were simply to take one step in the right direction and adopt the Russian approach, that would be a big improvement over where we are.

The Ambassador also talked about several religious congregations. He talked about the synagogue in Bukhara, he talked about the Lutheran Church in Tashkent, and he talked about the words of my co-religionist, Patriarch Alexis, the head of the Russian Orthodox Church. In all three cases, you're talking about religious groups which are perceived as having—and to a very large extent really do have—an ethnic character which is not perceived as competing with Islam. They do not convert Uzbeks of Islamic heritage to Christianity. Seems to me that the real test of religious freedom is whether a country is willing to tolerate those missionaries who seek to convert members of the dominant religious faith to some other faith. Patently, Uzbekistan does not meet that test. Those Christians who get into the most trouble in Uzbekistan are not those of ethnic German descent, who are Lutherans, or those of ethnic Russian or Ukrainian descent, who are Orthodox, but ethnic Uzbeks who embrace mostly, at this point, Protestant Evangelical Christianity—although 100 years ago, my own church, the Orthodox Church, was extremely active in missionary activities, bringing Uzbeks and other Central Asian and Siberian peoples to Christianity.

Again, I have not heard it even claimed that Uzbeks who convert to any form of Christianity are more likely to be politically troublesome or more likely to engage in sedition or more likely to foment civil war or more likely to be terrorists or more likely even to engage in ordinary street crime than any other group of Uzbeks. If anybody did a serious study of that, they would find that even the claim is absurd. What happens when Uzbeks embrace Evangelical Protestant Christianity typically is that they become more law-abiding and less of a threat to the state. What we're seeing here is the Uzbek Government, like the Russian Government, lending itself to the creation of what you might call a spiritual cartel. The head of my own church, the Russian Orthodox Church, has joined with the leaders of establishment Islam to support a system in which it's taken for granted that Orthodoxy is for Russians and other Slavs—in which case I'm out of it, since I don't have a drop of East European blood. (I'm an apostate Episcopalian who converted to Orthodoxy). Islam is for Uzbeks and Tartars, and people from similar ethnic groups and religions like Protestantism and Catholicism are out of it.

I submit, Mr. Chairman, that that is simply unacceptable to any state that claims to accept the basic rule of law; and it's an obvious violation of Uzbekistan's own constitution.

Deeply troubling is Uzbekistan's persecution of Independent Muslims. Now, Ms. Cavanaugh has treated that problem so ably that I have nothing to add to what she said, but let me just stress one point. Even if Paul Goble were completely wrong—which would be a great rarity— even if he were wrong and even if the Ambassador were completely right about the nature of terrorism and the nature of Islam in Uzbekistan, even so, the kinds of laws that Uzbekistan has on the books today would be totally counterproductive. When you have registration laws which target all religious groups and force bureaucrats to spend their time and their energy and the scarce resources of the

state on processing every single religious believer of every kind, what you're doing is diverting the resources of police and other state agencies from the most urgent task—which is to target attention on the small minority of believers who are a serious terrorist threat.

We should be paying just as much attention to the persecution of Muslims as we are to the persecution of Christians. My own organization, a British research center, is an explicitly Christian body; but we go out of our way to defend the religious freedom of all bona fide religious believers in communist and ex-communist countries. We believe that if Christians fail to defend the rights of Muslims, what right, what moral claim do we have to ask Muslims to respect our own rights in countries like Saudi Arabia. If the U.S. Congress and the U.S. executive branch are going to pressure other states to respect the rights only of those religious confessions that happen to have good lobbies and good political connections in Washington, then how can we claim to be pursuing universal principles of the rule of law for all states? And finally, something older than the U.S. Government is the Golden Rule. Do unto others as you would have them do unto you. And I commend the commission for being guided by that principle. Thank you.

Mr. SMITH. Thank you very much, Mr. Uzzell, for your excellent statement and for the moral imperative you bring to this issue, which I think is very important. I remember that when I first got in Congress we looked at the Keston, and it has been very faithful throughout all these years, always looking out for all believers, as you said, bona fide believers; and that consistent approach has served you well. Knowing you—as I have since 1978—it is a distinct honor to have you here before the Commission today. Mr. Polat.

TESTIMONY OF ABDURAHIM POLAT,
CHAIRMAN, "BIRLIK"

Mr. POLAT. Thank you. Mr. SMITH. Last but certainly not least, we look forward to your testimony.

Mr. POLAT. Mr. Chairman, distinguished members of the Commission, first I want to thank you for the opportunity to make this speech here at the Congress and participate in the discussion regarding democracy and human rights in Uzbekistan. Frankly I have to say that we will not speak about democracy and human rights in Uzbekistan, but about the absence of democracy and violation of human rights in my country.

I will be very short here because of timing, but I present full text; and I ask you to add my full speech to record of this meeting.

Before I get to the main issue, I just want to quote something from Talleyrand's speech, French renowned politician, in regard to ambassadors. He says, "Main task of ambassador is to lie, lie, and lie on behalf of his government." And some young—maybe not young by age—but some ambassadors of Newly Independent States, as I see, learned this rule very well. But what these ambassadors don't realize is that in good old days of Talleyrand there was no opposition—not speaking about opposition, exiles—that could discredit him. There was no fax machines, no telephone, no Internet or email; and today we have such facilities, and it is easy to obtain any information from independent resources which are more reliable than information of ambassador, and we could obtain this information before the ambassador.

I'm not going to answer for all lies of ambassador or our country, but I will touch only two questions concerned, maybe one of them directly with me. He told that several days ago the leader of Islamic movement, Tahir Yuldash, said by Radio Liberty that leaders of Birlik and Erk promised him to support the jihad. It is first lie because we—I will say about Birlik—never promised him to support; and we issued now before his speech after the announcement of jihad that as democratic organization we cannot support this form of struggle against any government if even this government is dictatorship.

And second maybe lie is he said that the transition to market economic is good in Uzbekistan. He said that about 70, 80 percent of agriculture production is producing now today in Tashkent non-state enterprises. He's right maybe, but what is non-state enterprises now in Uzbekistan? Everybody know about Kolhos—Kolhos, according to bylaws of Kolkhozes, is this collective farms; and it is non-state organization but everybody know it was only on paper. It is a state organization. And Mr. Safaev told us that about 80 percent agriculture production produced in non-state organization is right, but if for person who know what is Kolkhoz, it is lie. Because Kolkhoz is a state enterprise. Maybe single difference between Kolkhoz and now Uzbek enterprise, the word of collective was translated to Uzbek language, and now Kolkhoz are renamed not Kolkhoz. It is very difficult to say, but it sound in Uzbek language only.

Now let me get to main issue. Yes, United States is center of world democracy and modern civilization. Having said that, I would here like to discuss these issues in Uzbekistan and address these problems to my nation. But the Uzbek nation needs help. My nation is now experiencing similar disaster like natural disaster. The name of the disaster is dictatorship. Therefore, we are forced to discuss these issues here, not in Uzbekistan. The fact that Uzbekistan ended up in ruthless Karimov's hands is not just a fate of the country and history, but another form of natural disaster. In order to understand that, one can take a look to the neighboring countries, Kazakstan, Kyrgyzstan, where the general population's political awareness is the same as Uzbekistan's. However, general conditions are much better and entirely different now.

I came here today to ask the assistance of the United States to my nation. Rescue them from the disastrous situation. Yes, again I am pointing out our need of assistance from Western countries and particularly the United States. Let's look at the different side of this issue. Uzbekistan, like United States, also is a member of Organization of Security and Cooperation in Europe, so called Helsinki Organization, which puts human rights and democracy as its top priority. This priority should be main legal basis for the United States of America and OSCE countries assist Uzbekistan freeing from dictatorship. I'm even prepared to strongly suggest that OSCE countries are obligated to assist us proceeding from bylaws of this organization.

If I will speak about the general situation in Uzbekistan, I will use only one word. It is dictatorship. And I'm not going to describe here and to approve my state about dictatorship, because many people who speak here—except our ambassador maybe—without using the word of dictatorship shows that Uzbekistan is dictatorship.

Everybody know about repression against Muslims, and its repression is becoming even more widespread in Uzbekistan. Representatives of human rights organizations spoke about it, and I will not

repeat it. But I will only add this fact. Recently, authorities—Uzbek authorities themselves—put out the information that they released many innocent people. During the verification, we found out that this was not true, and they have only freed around 30 or 40 people. Two days ago, Ahmadhon Abdullaev, head of the Namangan Human Rights Organization, informed us that new court processes against several innocent Muslims just ended locally. Seven individuals, ages between 25 to 30, were sentenced between 16 and 20 years. The severe punishment was given simply because these people had leaflets from Hizb-ut-Tahrir religious party.

I have to say that severe repressions against democratic opposition is also continuing—let me give you several, only several, examples. In December 1998, one of the local leaders of Birlik movement—he is not religious leader, but Birlik's, our organization's leader in Namangan—was sentenced. He was sentenced 5 years ago for political activity and spent 2 years in jail, and now he was sentenced for 6 years. He was very ill and many international organizations, including Amnesty International, wrote about to Mr. Karimov that it is impossible to send so ill people to prison; but nobody listened there, and in May 1999, four months after this court process, he died in prison.

Other local leaders of Birlik movement—I emphasize, Birlik leader in Andijan—Dzhurahon Azimov was arrested in Andijan region in February 1999. He was sentenced for 16 years of imprisonment in May 5. He was killed in jail on July 17, 1999. It's very fresh news. And very recently two more activists of Birlik movement, Mahbuba Kasimova and Ismail Adilov, were arrested in Tashkent. With the trial of few hours—actually a few hours—court gave a verdict and sentenced them to 5 and 6 years of imprisonment. And we are very worried for their lives.

Yes, constitution and laws of the Republic of Uzbekistan gives small but some rights to opposition and non-governmental organization; but, unfortunately, Uzbekistan is unlawful state, and not a single truly independent organization has been registered in Uzbekistan to date. Yes, in 1991, after the failure of August coup, the power of President Karimov was not so endless. He had to register some organization, and at first he give permission to register democratic party Erk, which at the time was pro-governmental party, and Birlik movement. But in 1993 when power of President Karimov become endless, he cancel this registration for both organizations.

And I want to point out that Uzbek Government even refuses registration of human rights organization; without a doubt, this situation creates extremely bad track record, not only for Uzbekistan but also for Organization on Security and Cooperation in Europe, too, because Uzbekistan is member of this organization, and we are very surprised about this situation.

It is not necessary to speak about mass media in Uzbekistan. Everybody know that there is no independent media in Uzbekistan; and, therefore, for us very important American radio stations Voice of America and Liberty, and I want to say couple words about them.

Voice of America service improved since Uzbek professional dissident journalist has recently started working for Uzbek service now. However, Radio Liberty's Uzbek service has and is carrying on the role of propaganda vehicle of Karimov's policy of exercising dictator-

ship in order to keep stability. Yes, of course, good and well thought-out analytical presentation of Mr. Paul Goble and rare appearance of opposition are the exceptions, but they cannot change the general picture, general atmosphere.

And speaking about Uzbekistan today, is it impossible to pass over the bombing events in Tashkent. According to the secular opposition, first of all, Popular movement Birlik, bombs that went off across Tashkent on February 16, 1999, was organized by official Tashkent in order to stop next wave of repression in the country. By doing this, they planned to crack down all opposition activities even further and do not allow opposition to participate in upcoming elections. It was widely known that the leaders of democratic opposition, including myself, were seriously considering returning to Uzbekistan prior to the elections. We have serious assumptions to blame the official Tashkent in organizing this bombing. Because of time, I cannot get into details, but we describe this in detail in our formal statements and press releases and some details you can find in my long text of speech that I presented to Commission.

You know, after bombing, authorities arrested thousands of people, and everybody knows Karimov openly announce that Uzbek authorities will punish not only for people who are involved in crimes, but for parents, for fathers—maybe because they are first guilty what their parents teach, did such kind actions. And in this type circumstances, it is normal to expect thousands of families fleeing to neighboring countries, especially to Tajikistan, continuing on to Afghanistan and Pakistan. And I underline this fact. These peoples form Islamic movement of Uzbekistan. Yes, the leaders of these organizations are people who left Uzbekistan before the bombing events, but many members of new organized Islamic movement are people who run away from Uzbekistan after bombing in Tashkent; and these people form the Islamic movement of Uzbekistan and started Holy War, jihad, against Uzbek Government.

Popular movement Birlik—I repeat it, it is very important—in its press release, September 24, 1999, states that, "As democratic institution, it does not support such action based on using force and urged Uzbek Government to begin talks with democratic and Islamic opposition." Now preparation to elections in Uzbekistan are going full speed, which are going on totally against the democratic principles. Opposition is banned to participate in this campaign. Exiled leaders of democratic opposition decided to delay the return to Uzbekistan. These elections will not have any positive effect on the state or the nation. On the contrary, it may have a negative effect and destabilize the situation. It seems like the civil war is not avoidable, unfortunately.

And I want to say several words about the role of Organization of Security and Cooperation in Europe and United States of America. We thought if Uzbekistan becomes a member of Organization of Security and Cooperation in Europe and other similar institutions, it would be forced to do necessary democratic changes and follow human rights. Now, I can clearly say that this is not happening. In the case of Organization of Security and Cooperation in Europe, in the same way, United States also limits itself with rare statements to Uzbekistan in regard to democracy and human rights. But moreover, Uzbekistan uses its OSCE membership to strengthen its dictatorial

policies. It is very important because many representatives of this organization always see it involving the chairmen of the organization, very often visited Uzbekistan and in the time of the meeting with representatives of banned opposition; yes, it is necessary to recognize they had meetings with our friends, these human rights fighters, but nobody knew in Uzbekistan because mass media didn't say anything about it. But the common speeches delivered by TV was described as support of this organization for the policy of Karimov. They openly said if Karimov was devil, as Islam extremists said, and Karimov was dictatorship, as leaders of opposition say, how can we go to Washington to participate in NATO summit and our president is sitting next to President Clinton? It is true and it is a reality today.

And I want to recall some visits from formal American/Uzbek relations. In 1992, after the assassination attempt to me—it was June 1992—Karimov made a statement that he's ready to blow the brains of hundreds of more opposition leaders. He told about it in the parliament and everybody saw it by TV. After this statement, Bush Administration immediately canceled Karimov's visit to United States. But in this year, Karimov made another statement. It was in April before coming to Washington for NATO jubilee. And he said he is ready himself to cut off 200 heads of Islamic extremists. Six years ago, he told about 100 oppositionists. Now he told about 200. He's making progress. But he was invited to Washington. He come to Washington and maybe that Karimov does not feel that current United States administration is tough enough in human rights issues. And last, what actions are needed? Uzbek democrats, especially Birlik activists, are carrying on the hard task, even in such difficult circumstances because our organization exists; and under these circumstances we are continuing our activity. However, in this respect, let me tell you what kind of assistance we are looking for. We still hope United States and Organization of Security and Cooperation in Europe will influence the development of democracy in Uzbekistan. A lot of assistance could be asked, for example, to change regime of Uzbekistan to influence election campaign that is going now and to try to get some permission in order to opposition organization can take part in this election.

But I realize, understand, it is impossible. Karimov is dictator, is excellent dictator, some say like Milosevic. It is impossible to make him by force, and maybe it will only voice for us and for democracy. And so I want to put forward today little, not much, small problem what we have. You know about it. Today everybody talk about it. It is the problem of registration, Human Rights Society of Uzbekistan, and validation of the registration of popular movement Birlik. Birlik movement was registered in 1991. In 1993 the Government of Uzbekistan issued new rules for registration of organization, and at that time they registered only organization what they want. By constitution of Uzbekistan, only Supreme Court and organization itself can cancel, close, this organization, but there is no decision of Supreme Court. Currently, human rights activists are preparing their documents to appeal to Supreme Court in regard to the registration issue.

This is very important step since even President Karimov and—as we see—Ambassador Safaev claim the building of law abiding society in Uzbekistan. The main issue I told you regarding registration of Birlik and human rights society. Now, we will again—not again, first time—appeal to Supreme Court; and we will try to contain, to collect,

the attention of all communities to this problem, and what I want, I go right from my text. This court appeals against the Minister of Justice actions regarding the registration of popular movement Birlik and human rights organization could become an important political issue, particularly if Organization of Security and Cooperation in Europe and Congressional Commission on Security and Cooperation in Europe—that is, this commission—pays close attention to this court process. It is widely known that this organization is involved to resolve the conflicts in troubled parts of the world. Considering the importance of the situation in Uzbekistan, these two organizations can assign their observers during this process and even help that it actually gets fair attention. It is my key point of the last part of my statement, and I'm stating again that it is very important to register and validate democratic organization. I would ask the Commission of the Congress to make every effort to assist in the registering of Human Rights Society of Uzbekistan and validation of Birlik movement and include it to its future concrete action plans in Uzbekistan. Your assistance is mostly appreciated, and I am ready to coordinate with you in respect of assigned officials to work and keep you posted in the future. I thank you all for your kind attention, and I am afraid that I could not do my first speech in English so well as I want. Thank you.

Mr. SMITH. Mr. Polat, you did extraordinarily well, and I thank you for summing up. Your full statement will be made part of the record, and we are honored to have you here. You made a comment that civil war was not avoidable, unfortunately. Mr. Goble, you mentioned as your second major challenge succession of the generational elite. Do all of you agree that this thing is careening towards a civil war with much loss of life?

Mr. GOBLE. Mr. Chairman, nothing is inevitable. One of the reasons one makes predictions about the future is to try to get people to do things to make a different future. On the other hand, if things continue as they are, a civil war would be a far more organized pattern of behavior than what is likely. What is far more likely is the destruction of any possibility of order for some period of time, a descent into a kind of chaos in which many people would welcome any kind of stability again. A civil war—in our mind, I think— suggests two sides.

I think that what we're heading toward, unless some very serious changes, is a descent into chaos where there will be lots of competing parties rather than just two.

Mr. SMITH. Let me ask then with regards to competing parties—Mr. Polat, you might want to answer this. The only way that there was success in Romania was when Constantinescu succeeded with the democratic Convention after a disastrous multiple-party effort in Romania. The only way that Daniel Ortega was displaced was when Violeta Chamorro formed a coalition opposition. Mr. Polat, do you see the possibility of the disparate opposition voices coming together to form a united opposition?

Mr. POLAT. Yes, I am sure; and I said about it many, many times in order to let very effective activity against the dictatorship country all opposition organizations have to coordinate, at least coordinate the activity, and they have to join the activity against dictatorship.

Mr. SMITH. Let me ask. Earlier, a representative from the State Department, Mr. Beyrle, mentioned that he did not expect the December 5 election to be free and fair; and then he pointed out—he indicated that he wouldn't want to see international observance of those elections. What is your view? Should we send observers? Should the OSCE deploy people?

Ms. CAVANAUGH. By way of an answer, I should say that we have informal groups of people who are trying to register with the authorities as monitors, people not affiliated with human rights groups or Karimov. They have received in response nothing but harassments and threats of general sentences. So I think it's impossible for local monitors and the international community.

Mr. GOBLE. I disagree. I think that we should always send monitors, not because that is a way of legitimating election, but because it provides encouragement to those people who are engaged in the democratic process. I also think it can be an opportunity for bringing the world's attention to the abuses that are certainly going to take place. The reality is that if an Uzbek opposition says the elections were unfair, that's unlikely to make the front page of *The New York Times*. If an overseeing mission makes a similar statement, it's far more likely to get attention and certainly be believed.

Ms. CAVANAUGH. May I respond?

Mr. SMITH. Yes.

Ms. CAVANAUGH. The other question, I believe—it is fully possible—say that these elections will be unfair without sending anyone at all. When you do send someone, you see that the government has very adeptly used these missions as a way for the people to legitimize what they've done.

Mr. SMITH. Let me ask—

Mr. POLAT. I think, too, it is necessary to send observers, but very important what kind of statement they will prepare. For example, I read a rough draft of Organization for Cooperation in Europe about the election in Kazakhstan; and I don't know really what kind of elections was held here, but the report was very common and very, very small, and it is very difficult to understand for ordinary people, maybe politicians were special, it's very good. But if Kazak Government publish this report, many people will understand that in general the elections were good. So it is very important to prepare good report about elections.

Mr. SMITH. Mr. Uzzell, you underscore with emphasis how extreme Uzbekistan's 1998 law is on religion when you seriously propose to the Commission that Russia's law would somehow be a step on the reform ladder. Is it really possible that Karimov or anybody else in the ruling elite might embrace some reform? And what levers do you think we ought to be contemplating—the U.S. Government and our allies? Moral suasion can only go so far. Do you think that we should be talking sanctions, with the military and military contact be effective and may seem a stretch, but it seems to me when the people doing the victimizing and the torture probably wear the same hat as the military, it's not so much of a stretch.

Mr. UZZELL. I should stress that I'm speaking for myself. I'm not speaking for Keston Institute, which is a British organization and which does not lobby for particular pieces of legislation or particular executive policies. But I'm a U.S. citizen and one of my rights as a

U.S. citizen is to throw rocks at the policy of my own government. I think the option of sanctions should be taken very seriously. I think my government has been too soft on Uzbekistan. The way to get repressive governments to take seriously things that they don't want to take seriously is to make them see the real possibility of results which will be painful to them. I'm sure that there are things that we are doing in our relations with Uzbekistan—just as there are things that we're doing in relations with Russia—that are not absolutely central to the national security interests of the United States. The State Department likes to create the impression that every aid program is like Nunn-Lugar. Nunn-Lugar clearly is something we're doing for the sake of our own national interests; and I don't know of any human rights advocate who wants to cut off Nunn-Lugar in order to make a point about human rights. But that is far from true of all of the assistance programs from the United States to the countries in the former Soviet Union. I don't know if it's still true, but a year ago one of the U.S. Government agencies that had a direct relationship with Moscow was the Internal Revenue Service. We were sending officials of the U.S. Internal Revenue Service over to Russia to instruct them on how to have a civilized and just tax system. It was about the same time as the hearings, Mr. Chairman, and I remember reading that. I was in Moscow at the time. I was thinking, boy, if anything is going to undermine good relations between the American people and the Russian people, it's the thought that we want them to model our own Internal Revenue Service.

Mr. SMITH. They always have three letters in their acronyms, too.

Mr. UZZELL. You asked if there's any chance that the government would change. Some would have said a couple of months ago that there was no chance that they were going to release these prisoners. I think one of the most fascinating things about this part of the world is how unpredictable it is. That's why it's just a fascinating place to work as a journalist. Frankly, I was a little surprised and disappointed today. I thought that the Ambassador would make some announcements today, dramatic announcements about the prisoners who are being held even as we speak. Boris Belan and Alexei Andreichenko, as we sit here, are being held in prison; and I thought that there might be an opportunity to make a dramatic concession there. Maybe they think that they have already done enough and have appeased western opinion and that we'll all go back to sleep now. It's important to show that they're wrong.

Mr. SMITH. I think your testimony and Ms. Cavanaugh's made that point very well.

Let me just ask. In June Channel 1 of Uzbek television in Tashkent ran a story on the trial of Pastor Tabayev, and two of the defendants claimed that they were frauds and drug dealers. These kinds of reports, especially coming from the government, obviously worries them. Have you heard of any other incidents of this type where they've planted evidence and then amplified it via the media?

Mr. UZZELL. Such reports are widespread. Either there is a unique outbreak of drug dealing among pious religious people in Uzbekistan, or there is an extremely unusual degree of fabricated evidence taking place. I don't know of any serious observer who thinks it's the former.

Mr. PITTS. What is the response of the public in Uzbekistan to those kinds of reports? Do they realize how ridiculous those accusations are?

Mr. UZZELL. I'll yield to you.

Ms. CAVANAUGH. One of the things we found in our investigations is that young men trading in the bazaar—the new fashion in Tashkent is to have your pockets torn off your pants or holes cut in the bottom so that police are not able to put anything in there to use as evidence. So it's widely understood that this practice occurs.

Mr. POLAT. Also it works, and they have learned from people that it works. The reality is that—Moscow has been doing this, planting on average one bullet per Chechen arrested in the city of Moscow and then claiming that it's terrorists. And that has not evoked a large amount of protest around this—and, therefore, it has been something that has been copied. If you go back and look at the time lines, what you will see is that a number of repressive activities of this kind happened in one place in this part of the world; and then, if nobody condemns them, if nobody causes anybody pain, if people accept the argument that these people are probably guilty—which unfortunately is a predisposition in many Western capitals, the myth of what is a Muslim is inserted into the sentence—then more of it will be done. And the fact is that it was Mr. Luzhkov's police sources in the Russian capital that pioneered this activity, and it was then picked up by the Uzbeks and others; and it is a very funny that terrorists always carry one bullet and that there's usually one gram of drugs. The Moscow police are very efficient that way.

Mr. SMITH. Just make two points and then I'll yield to Mr. Pitts for any questions he might have. I'd like to let you know that I am going to be introducing a resolution this week expressing the sense to Congress that the general political trend in Central Asia is a cause of deep concern in the United States Congress. The resolution notes, among other things, that the tendency of Central Asian leaders to remain in power indefinitely is a cause of particular concern. In general, what we have in Central Asia is an entire region where basic OSCE commitments are ignored or flaunted. The resolution calls on the U.S. Government to hold Central Asian governments to account, to step up pressure on them to observe OSCE commitments, and a call upon the U.S. officials to ensure that U.S. policy towards these countries is in keeping with their respect or lack of respect for basic human rights and rule of law.

I also plan on following up very vigorously the IMET and what extent the parameters of that program and to try to determine whether or not we are part of the solution or part of the problem, whether or not this might be a lever that could be used. And again, in my two previous fights on military and military training in Rwanda and in Indonesia, remember, I even undertook a trip as Suharto was stepping down and B. J. Habibie was coming in as President of Indonesia and met with their military who are guilty and accused of very heinous torture and abuse; and I was flabbergasted to find our attache in Jakarta defending and saying that human rights groups were in full accord with the JCETS Program that we were involved. And then, when I asked the colonel to name the human rights groups, with Stapleton Roy, our U.S. Ambassador, sitting in the same room, he couldn't think of any. And he had a senior moment, and I was amazed,

in all candor, that he would allege that the human rights community was supportive of that training; and we all know that General Prabowo is gone and many of Kopassus's members have been implicated in torture. It would be interesting—and I think our duty now that we've surfaced this—to follow the program in Uzbekistan. And I'm hoping that it comes clean, that our government has no taint; but it certainly bears a vigorous inquiry. So we will do that, as well.

I would also point out that Senator Brownback could not be here but has a statement he'd like to be made a part of the record. Without objection, it will be; and he has been very vigorous in his concern about Uzbekistan. No one has been more vigorous than Mr. Pitts. I'd like to yield to him for any questions.

Mr. PITTS. Thank you, Mr. Chairman. I have a question regarding two issues: first, the nonviolent, peaceful expression of religious belief and, second, due process. What can the U.S. Government do to encourage, either by carrots or sticks, Uzbekistan to uphold the basic liberties of their citizens in these two areas in a way that would still address their fear of religious extremists? Would anyone in particular like to answer this question? Mr. Uzzell.

Mr.. UZZELL. Engage at every level. This is something that should come up in every conversation with the highest ranking U.S. officials and their Uzbek counterparts. I think sometimes there's a tendency for these areas to be the specialty of the human rights officer at the embassy or of the newly appointed structure in the State Department. These things should come up at the highest level, at President to President contacts and at the ambassadorial level.

Secondly, I think we should make it clear that, as I said, we are prepared to see cuts in U.S. funding for things that Tashkent itself holds dear in order to drive home the importance of fundamental human rights. Public opinion is not as transparent in Uzbekistan as it is in Russia. People are afraid to express their views, but I know that in Russia, frequently, Russian supporters of religious freedom and other human rights have said to me that they think the U.S. Government spends far too much on bilateral assistance to the Russian government. The representative of the State Department said that funds for non-governmental organizations help to build democracy from the bottom up. I'm skeptical even of that. I observed in Russia how funds from the National Endowment for Democracy went to non-government organizations in Russia that were supporting the 1993 Russian constitution which, although it has very good provisions on religious freedom, is basically a Yeltsin constitution. It's a constitution hand-tailored to the personal interests of one politician, a highly presidential, anti-parliamentary, anti-decentralization, very pro-Moscow; and, nevertheless, that extremely unbalanced document became law in no small part because of the role of American tax dollars. I think we have to be very careful how even an ostensibly independent agency like the National Endowment for Democracy gets influenced by the political agenda of the State Department in its desire to curry good relations with whoever is in power in Tashkent or in Moscow.

Mr. GOBLE. I would make three brief, quick comments to that. First, don't lie about the situation. Stop calling people democrats when they're not. Stop using the word 'partner' on every and all occasion for people who are quite obviously prepared to behave in ways that

don't deserve to be partners of a country committed to the values we are. I mean, first of all, don't lie. Second—and this is related—realize that words matter. Calling these people certain things is a reward they want. Don't give it to them until after they've earned it. We made, I believe, a very fundamental mistake across this region of announcing that everybody was in Europe, a self-designated, they desperately wanted. They wanted to hear people say they were Europeans before they would meet European standards. So we threw away something that was of enormous importance to them by giving it to them without getting anything back. And I think that's something that matters, too. I think we've got to realize how important words are in these societies and elsewhere. What we say—what we give by what we say—matters.

And third, make it very clear that we're paying attention. I've been in the business long enough to remember when the focus of this part of the world was grouped under the glorious title, Religion, Nationality and Dissent. As recently as now 11 years ago, our government had one person working full-time on all the non-Russian peoples of the Soviet Union. If that doesn't scare you, I'll frighten you by telling you it was me. It frightened me all the time. The fact is that we are retreating from the amount of attention we're giving to these places, and these countries know it. They're aware that there's less attention than there used to be four and five and seven years ago. There's an awareness that they are small countries far away about which we know nothing; and, like everyone else, if they believe they're not being watched, they will do worse things. That's just the way it is. It is terribly important to make sure that in all of our embassies there are native-language-competent officers following issues of human rights, not native-language officers who are only doing business in economic ties. It's terribly important that there be people who can talk to the population in their own language and not in Russian. It's terribly important that we have people who are competent in these languages here in Washington, so that it's not simply when we in Washington want to look at something we have to rely on the very good works of Keston or Human Rights Watch, but rather we also are generating information here; and that, unfortunately, when I talk to people, I often discover when I want to go to talk to someone in the government, that they're reading me back stuff that our organization produced in our daily report Newsline, that we're just getting it back, which is to say they're not generating it separately. I don't think that's totally true, but I think if we made it very clear—and I very much welcome the Chairman's proposed resolution—that we're paying attention, there'll be less of this. The minute there's an assumption in Tashkent that we've looked away, the minute that assumption exists, then none of these people are going to get out of jail. I mean, that is a sad fact. There are no structural institutions in that society that will get them out of the jail, and that's what worries me.

Words matter. We shouldn't lie. And we should pay more attention. This hearing is a very welcome thing, and your resolution will be, as well. Thank you.

Mr. PITTS. Does anyone else have a response? If not, thank you very much.

Mr. SMITH. Thank you very much, Mr. Pitts. I just want to thank our witnesses for their excellent testimony. Do they have any further comments? I note that Mr. Polat called Karimov the excellent dictator; and as soon as I heard that I thought of the "Dear Leader" Kim Il Sung. There's always some benign but sarcastic word or nomenclature used to describe people who do the wrong thing; and your point was well taken, Mr. Polat.

I want to thank our distinguished witnesses again, and thank Mr. Pitts for his very strong personal interest and the work that he has done. Let me say for the record, Mr. Goble, that I do chair the International Operations Subcommittee, the State Department bill is in conference now. I have tried to double the number of people who are the democracy labor and human rights bureau, believing that—we've run into opposition, but believing that—we're so out-gunned in the State Department with the commerce types—who are needed, but we need people who have as their portfolio or primary part of their portfolio human rights observance in their countries. So I want to thank you for underscoring that. Ms. Cavanaugh, do you have any thoughts or comments?

Ms. CAVANAUGH. One final thing that I'd like to say, following up on what Mr. Uzzell and Mr. Goble have said, and that is that when we're engaging these officials on every level, we should remember—remembering, as Mr. Goble said, that words matter—we should not accept their definitions of what constitutes religious extremism or what constitutes a threat. Because if you look at the practice of enforcing these laws that we've been talking about, every organization or every group of individuals that expresses the belief or examines the belief or studies the belief that differs from what the government deems as acceptable is labeled by the government as religious extremists; and if we fall into that and if we don't let them know that we challenge that and don't accept that, then we're reinforcing it.

Mr. SMITH. Let me just say also as we close, I thank Michael Ochs and Karen Lord for the extraordinarily good work they do on the Commission. As Commissioners, we are very much indebted to our staff. They provide not only the information timely, accurately, but more importantly—and Michael has been with the Commission since I've been with the Commission, a very long time—makes frequent trips to that part of the world; and as you pointed out, Mr. Goble, there's just too few people focusing on these countries. He's a walking institutional memory, and we are indebted to him for the work that he does because he keeps us all up-to-date; and the information he provides us is, as I said, accurate and further buttressed by your testimonies and makes us more effective in trying to do the right thing. So I want to thank you. The hearing is adjourned.

(Whereupon, the hearing was adjourned at 3:22 p.m.)

APPENDICES

PREPARED STATEMENT OF CO-CHAIRMAN BEN NIGHTHORSE CAMPBELL

Mr. Chairman, I welcome today's timely hearing on the state of democratization and human rights in the Republic of Uzbekistan. Admitted as an OSCE participating State in January of 1992, Uzbekistan has and continues to blatantly violate its Helsinki commitments, particularly those concerning human rights, democracy, and the rule of law. I would point out that in joining the OSCE, the Government of Uzbekistan submitted a formal statement in which it adopted the Helsinki Final Act, the Charter of Paris for a New Europe, and all other OSCE documents. Uzbekistan further pledged to accept "in their entirety all commitments and responsibilities contained in those documents, and declares its determination to act in accordance with their provisions." The state of democratization and human rights in the Republic of Uzbekistan can be summed up in a single word – dismal.

Seven years after its admission to the OSCE, Uzbekistan remains an authoritarian state where democratic centralism is the hallmark of President Islam Karimov's rule. Notions of an independent judiciary or legislative branch simply do not exist. Karimov has ruthlessly crushed any potential opposition and resorted to a Soviet-style referendum to extend his term in office into the year 2000. The people of Uzbekistan continue to be denied even the most basic human rights and fundamental freedoms contained in the Final Act, the Charter and other OSCE documents. Uzbekistan continues to target smaller Evangelical Christian groups for harassment.

While the Government of Uzbekistan continues to pay lip service to human rights, the situation on the ground continues to erode. For the better part of the past decade, the Government of Uzbekistan has attempted to capitalize on its OSCE membership to lend it a degree of legitimacy without following through on its promises to respect the core OSCE values of human rights, democracy, and the rule of law. Mr. Chairman, the status quo is clearly not acceptable. The issue that confronts the United States, and the OSCE as a whole, is where to go from here. I look forward to reviewing the testimony of the experts assembled this afternoon as we attempt to come to terms with Uzbekistan's dismal human rights record.

PREPARED STATEMENT OF JOHN R. BEYRLE, DEPUTY SPECIAL ADVISOR TO THE SECRETARY OF STATE FOR THE NEW INDEPENDENT STATES

Mr. Chairman, I am honored to be here today representing the Administration. I appreciate the opportunity to discuss with you U.S. foreign policy goals and recent developments in Uzbekistan.

Uzbekistan emerged only eight years ago from the collapse of the Soviet Union. By virtue of geography, economics and demographics, it has become an important power in the region. The United States has significant national interests at stake in seeing Uzbekistan develop into a stable and prosperous society with a democratic government and an open, market economy. To promote these interests, we have established a number of priority policy goals:

First, we have worked to promote Uzbekistan's sovereignty and security. Uzbekistan has indicated it wishes to develop a close strategic relationship with the United States, in part to balance the influence of larger neighbors such as Iran and Russia. We cooperate bilaterally on security, as well as through participation in Euro-Atlantic security structures, such as NATO's Partnership for Peace and the OSCE. Uzbekistan consistently supports U.S. positions in the U.N. on issues such as Iran, Iraq, and Cuba.

Second, we have worked to strengthen Uzbekistan's commitment to democracy, the rule of law, and human rights. Democracy and rule of law are the soundest basis for social stability in Central Asia. We are encouraging Uzbekistan to hold freely contested elections, and to show a deeper respect toward religious freedom.

Third, we have worked closely with Uzbekistan to counter the global threats of the proliferation of weapons of mass destruction (WMD) and associated materials, narcotics trafficking and terrorism — interests that have assumed even greater importance in light of trends in neighboring states to the south.

Fourth, we have supported Uzbekistan's transition to a free-market economy attractive to foreign investment. Uzbekistan has the largest economy in the region and a diverse resource base. We have stressed the need to make the Uzbek currency fully convertible and to privatize state-owned enterprises if it is to translate these advantages into a prosperous economy.

Fifth, because regional cooperation will be essential to solving many of the problems facing the Central Asian states, we have worked to facilitate their efforts at water-sharing, environmental remediation, trade and energy development. Uzbekistan is the only state to share borders with all the other countries in Central Asia and is thus literally central to this process.

The United States has sought to advance this range of objectives across the board. Frankly, however, our success has been uneven. In particular, the Government of Uzbekistan has been reluctant to engage constructively on core issues of democracy, human rights and economic reform, problematic issues that I will discuss at greater length in a moment. Nonetheless, we have seem some significant accomplishments in areas where other important U.S. interests are involved, notably on security and global issues, such as counter-terrorism:

Global issues. Uzbekistan has been cooperative on counter-terrorism, counter-narcotics, regional security cooperation, and non-proliferation. Regarding counter-terrorism, we have provided both training and equipment to appropriate Uzbek government agencies and officials. In counter-narcotics, we have offered training programs and cooperation to bolster interdiction capabilities. These efforts are paying off in Uzbekistan's active drug enforcement programs. Uzbekistan has also been an ally at the United Nations, working closely and coordinating effectively with the U.S. delegation on a range of UN issues.

Security Cooperation. Uzbekistan is an active participant in the Partnership for Peace. To strengthen regional security, we have encouraged and assisted Uzbekistan's participation in exercises involving the Central Asian Peacekeeping Battalion (Centrasbat), a regional security arrangement that also includes forces from Kazakhstan and Kyrgyzstan. With Kyrgyzstan, it co-hosted a Centrasbat exercise in September 1998 and participated in one held in the U.S. in May 1999. This engagement is now paying off: in response to recent incursions by Islamic militants into Kyrgyzstan, Uzbekistan has coordinated effectively with its neighbors to deny the militants any advantage.

Non-proliferation. Under the Cooperative Threat Reduction program, the U.S. has been providing Uzbekistan with guidance and technical assistance in the cleanup and dismantling of a former Soviet chemical-weapons production facility located on its territory.

Afghanistan. Uzbekistan played a central and constructive role in the establishment of the "6+2" contact group, which is dedicated to a political solution to the crisis in Afghanistan. Uzbekistan continues to be a leading member of this group, hosting a meeting of member states (including for the first time rival Afghan factions) in July 1999 and working closely and effectively with the United States in the group.

Our active and broad bilateral relationship with Uzbekistan has been an essential element in advancing these interests. Our relations with Tashkent are close, facilitated by high-level dialogue, an active American Embassy in Tashkent, and the bilateral Joint Commission co-chaired by Foreign Minister Kamilov and Ambassador-at-Large Sestanovich.

Another effective element for advancing our interests is our bilateral assistance program, generously funded by Congress. The common thread of this program is the challenge of helping Uzbekistan make the transition from its Soviet Communist past to a strong, sovereign market democracy:

In the area of market transition, we have provided advice and training on such subjects as energy policy reform and banking and bank regulation.

Military assistance programs highlight training and interaction with the U.S. military to ensure the Uzbek military sees its role as supporting democratic, constitutionally mandated institutions.

Democracy programs aim to support the transition to transparent and accountable governance and empowerment of citizens, through civic education, NGO training, independent media assistance, and legal reform.

Programs in the social and environmental sector help reduce threats to health and promote more efficient use of natural resources, especially water—vital in this dry but agriculturally rich country.

Unfortunately, as I have said, success in some of these areas has not been accompanied by progress on other issues equally important to Uzbek success and U.S. interests: democratization, human rights and religious freedoms, and economic reform. Let me dwell on each of these areas in a bit greater detail.

Uzbekistan has shown little progress in democratization. Elections are scheduled for parliament in December and for president in January, but despite our efforts, as well as those of other governments and the OSCE, there appears little chance that these will be free and fair in any meaningful sense. Although five parties are competing in the parliamentary elections, all are government-sponsored and offer little alternative choice to voters. Truly independent political parties have not been allowed to register or to campaign, or been given access to the media. Barring an unexpected reversal of this situation, the U.S. will likely discourage other governments and the OSCE from fielding missions to monitor these elections.

Free and open media are vital to the growth of true democracy, and here too the record is disappointing. Soviet-style press censorship remains pervasive; almost all media outlets are government-owned and controlled; the few independent newspapers and broadcasters must practice self-censorship. Uzbekistan recently extended its control of information to the Internet, requiring all service providers to connect to a government-run server. We have made clear to the Uzbek government that these actions are incompatible with their obligations as an OSCE signatory state to promote freedom of information.

As this Committee is well aware, the rule of law remains weak in Uzbekistan. Human rights groups have documented official action to silence individuals who try to exercise human rights and political freedom. Police and security officials are reported to regularly manufacture charges against individuals by planting evidence on them to make arrests. People arrested under such circumstances face legal and judicial proceedings which are far below international norms.

In such cases the U.S. government has registered its official disapproval not only privately, but in public statements and in international fora like the OSCE. I must say that this Commission has consistently amplified this message, for which we are grateful. Our common engagement has produced results: the government permitted registration of an officially supported human rights NGO in 1996 and in the following year set up a human rights ombudsman's office, affiliated with the Uzbek parliament. Both have had some limited effectiveness in investigating and reporting on human rights violations by government officials. Truly independent human rights NGOs, however, continue to face difficulty registering and suffer harassment and obstruction.

The exercise of religion in Uzbekistan is hindered by the restrictive law on religion, enacted in May 1998. This law has been used in the past as the basis for persecuting Muslim and other groups that the government saw as security threats. Six leaders of Christian congregations were prosecuted and jailed in part under this new statute. We have argued that this law, which among other things criminalizes unauthorized religious activity, should be repealed. In response to such criticism, the government has shown some flexibility: the six jailed Christian leaders were freed last July by a government decree.

The government also has facilitated and expedited since the summer the registration of some 20 religious groups, including Baptists, Pentacostals, Jehovah's Witnesses, and Hare Krishnas.

These are definite steps forward, which we acknowledge and welcome. But we continue to view the law on religion as a fundamental problem, and urge its repeal.

Although Uzbek authorities have been generally tolerant of traditional faiths, they have relentlessly persecuted religious groups they perceive as threats towards the government. Chief among these are non-traditional Islamic organizations, whose members have been harassed, jailed, or forced into exile. Denied a legitimate outlet for their activities, some elements of these banned groups formed the Islamic Movement of Uzbekistan (IMU), an armed rebel movement aimed at overthrowing the Uzbek government. On February 16 of this year, several car bombs exploded in downtown Tashkent, killing fifteen people and injuring 120. This act of terrorism was aimed at undermining the Uzbek government and probably was an attempt on the life of President Karimov. The Uzbek government placed responsibility for the attack on the IMU, and greatly increased official repression and persecution of individuals and groups perceived to present security threats to the government — targeting not only suspicious Islamic groups but also opposition political organizations and domestic NGOs supporting human rights. The IMU's incursion at the end of July into Kyrgyzstan and the subsequent hostage-taking incidents there only heightened the government's security concerns.

We have condemned these terrorist actions in the strongest terms. At the same time, we have stressed to the government of Uzbekistan our strong concern that its zeal in responding to the security threat posed by these actions has provoked human rights violations and abuses that will only exacerbate underlying tensions and complicate efforts to resolve them. Although we cannot say the Uzbekistani government has yet accepted this view, we are greatly encouraged by recent reports of the release hundreds of young Uzbeks who had been detained after the February bombings because of their membership in banned Islamic groups. We have urged follow-up action to release others among the thousands of other detainees as a positive step toward a lasting resolution of this difficult problem.

Economic reform is crucial to Uzbekistan's transition, but progress in this area too has been disappointing. Since October 1996, when the government decided to introduce currency controls and a multiple exchange rate, the economy has stagnated. The black market exchange rate is now four times the official central bank rate. Foreign companies face exchange controls and complicated licensing and registration requirements, which make it exceedingly difficult to repatriate profits. Major investors, including several large U.S. corporations, have started to scale back their operations significantly; there was essentially no new private investment in 1998 or 1999. Clearly, Uzbekistan's policies are denying its people employment opportunities and delaying prosperity.

In this environment, we face a real challenge in getting the most out of the assistance that Congress has authorized to promote democracy and human rights under the Freedom Support Act. We have sought to target this assistance largely outside Uzbek governmental channels so as to foster democratization and civil society-building at

the grass-roots level. Our partners in this effort are independent, non-governmental organizations and neighborhood committees. Our programs are offering basic civic education in seminars, town meetings and schools. We hope in this way to help create the conditions to permit democracy to take root and grow from the bottom up. These efforts are matched by programs to increase awareness of and respect for the rule of law. These are excellent programs that we feel are very effective and should continue, underscoring the importance of full funding of the administration's foreign assistance priorities, including our request under the Freedom Support Act. Unfortunately, large earmarks for a few countries reduces our flexibility to target our assistance to maximum effect.

Mr. Chairman, I hope that my testimony makes clear our recognition of Uzbekistan's continued problems in respecting the human rights of its citizens, and has highlighted our efforts to point the leadership towards a different path as we work to instill greater appreciation for these basic values among the Uzbek people. We should expect no overnight breakthroughs: the detour down the dead-end road of Soviet communism was long, and the path back is difficult and unfamiliar. But Uzbekistan's history and geostrategic position neighboring a region of increasing concern for vital American interests means that our continued engagement is essential across the range of other issues that I have described. And importantly, both the leaders and the people of Uzbekistan continue to welcome and appreciate this engagement. Mr. Chairman, we are convinced that progress toward democracy is critical to establishing Uzbekistan as the independent, stable and prosperous country that it desires to be. With the support of the Commission and the Congress as a whole, we will continue to work toward this goal.

PROGRAM OF MILITARY CONTACTS BETWEEN THE REPUBLIC OF UZBEKISTAN AND THE UNITED STATES OF AMERICA FOR 1999

Based on the Memorandum of Understanding and Cooperation on Defense and Military Relations between the Ministry of Defense of the Republic of Uzbekistan and the Department of Defense of the United States of America signed on October 13, 1995, the parties undertake to make their best efforts to conduct the following military contacts, which are under the auspices of the Chief of the General Staff of the Armed Forces of the Republic of Uzbekistan and the Commander in Chief, United States Central Command of the United States of America (USCENTCOM) in the year 1999. Additional contacts may be arranged through mutual agreement.

A. SENIOR COMMAND AND LEADERSHIP VISITS

1. Visit of Uzbekistani personnel to the U.S. Army Central Command (USARCENT), Fort McPherson, Georgia and the Louisiana Army National Guard, Louisiana, 1st Quarter of 1999.
2. Visit of The Adjutant General (TAG), Louisiana National Guard and staff members to Uzbekistan, March 1999.
3. Visit of Director of Plans and Policy (CCJS), U.S. Central Command to Uzbekistan, April 1999.
4. Visit of Commander in Chief, U.S. Central Command to Uzbekistan, May 1999.
5. U.S.–Uzbekistan Consultative Group Meetings at Headquarters, U.S. Central Command, MacDill Air Force Base, Tampa, Florida, June 1999.
6. U.S.–Uzbekistan Staff Talks in Uzbekistan, 4th Quarter 1999.
7. Visit of Commander in Chief, U.S. Central Command to Uzbekistan, 4th Quarter 1999.

B. STAFF VISITS AND EXCHANGES

1. Uzbekistani military lawyers participation in U.S. Pacific Command's (USPACOM) "Military Operations and Law (MILOPS) Conference," Honolulu, Hawaii, 22-26 February 1999.
2. Visit of Uzbekistani personnel to the United States to various Special Forces units to familiarize with selection procedures, training systems, and the planning and conducting of exercises, 1st Quarter 1999
3. Participation, of Uzbekistani personnel at the U.S. Army, Pacific's (USARPAC) "Asia–Pacific Military Medicine Conference" (ABC), Bangkok, Thailand, 7–12 March 1999.
4. Participation of Uzbekistani personnel at the Pacific Air Forces sponsored "Logistics Symposium 99," Hickam Air Force Rase, Honolulu, Hawaii, 2d Quarter 1999.
5. Participation of Uzbekistan mid-grade officers at the Pacific Air Forces sponsored "Pacific Airmen's Symposium 99." Anderson Air Force Base, Guam, 2d Quarter 1999.
6. Participation of Uzbekistani senior-grade officers at the Pacific Air Forces sponsored "Pacific Rim Air Symposium 99," Anderson Air Force Base, Guam, 2d Quarter 1999.

7. Visit of Uzbekistani personal to the United States to observe logistics operations during Louisiana National Guard Army National Guard Annual Training, Louisiana, July 1999.
8. Participation of Uzbekistani personnel at a Louisiana National Guard Army National Guard sponsored joint medical seminar, Louisiana, June 1999.
9. Participation of Uzbekistani personnel at the U.S. CPM Command Special Operations Conference, MacDill Air Force Base, Tampa, Florida, 20–23 July l 999.
10. Participation of Uzbekistani personnel at the U.S. Army, Pacific's (USARPAC) "Pacific Armies (Ground Forces) Management Seminar" (PAMS), Singapore, S-l1 September 1999.
11. Visit of Uzbekistani personnel to the U.S. to familiarize with training and reserve mobilization systems utilized by the Louisiana National Guard, Louisiana, 4th Quarter 1999.

C. COMBINED EXERCISE AND SEMINARS

1. Civil/Military Emergency Preparedness Workshop (ISO PfP Activity) (Stage II), Phoenix, Arizona, 36–24 January 1999.
2. Civil/Military Emergency Preparedness Workshop ISO PfP Activity) (Stage III), Almaty, Kazakhstan, 18–22 May 1999.
3. Exercise "Balance Ultra '99" in Uzbekistan, June 1999.
4. CENTRASBAT '99 pending agreement by CENTRASBAT states.

D. GROUND FORCES VISITS AND EXCHANGES

1. Visit of Uzbekistani officers and non-commissioned officers (NCO) to the U.S. to observe Louisiana Army National Guard annual training, Louisiana, July/August 1999.
2. Visit of Uzbekistani officers to the U.S. to familiarize with the organization of communications in the ground forces, 3d Quarter 1999.
3. Visit of Uzbekistani officers to the U.S. to observe, discuss and experience daily airborne infantry training, operations, and logistics, 3d Quarter 1999.
4. Visit of Uzbekistani officers to the Louisiana Army National Guard to familiarize with the organization of the United States Army maintenance management system, with emphasis on wheeled vehicles, 4th Quarter 1999.
5. Visit of Uzbekistani officers to the various locations in the U.S., to include the Louisiana National Guard's Professional Education Center to observe and discuss officer and non-commissioned officer training systems, operations and logistics. Camp Beauregard and Camp Ball, Alexandria. Louisiana, and other locations, October 1999.

K. AIR FORCES VISITS AND EXCHANGES

1. Visit of a delegation from the Air Defense Forces (Air Force) of the Republic of Uzbekistan to the U.S. Central Command Air Forces (USCENTAF), Shaw Air Force Base, South Carolina, 1st Quarter 1999.
2. U.S. Central Command Air Forces (USCENTAF) Air Traffic Control (ATC) Management Information Exchange visit to Uzbekistan, April 1999.

3. Visit of Uzbekistani officers to the U.S. to observe, discuss arid experience daily U.S. Air Force pilot life, training and operations, 3d Quarter 1999.

F. EDUCATIONAL INSTITUTIONS VISITS AND EXCHANGES

1. Visit of a delegation from the U.S. Military Academy to Uzbekistan, 2d Quarter 1999.
2. Participation of Uzbekistani personnel at the Marshall Center two-week Senior Executive Course, Ganesh, Germany, May-June and August-September 1999.
3. Participation of Uzbekistani personnel at the Marshall Center 15-week Executive Course, Garmish, Germany, January-May and August-December 1999.
4. Participation of Uzbekistani personnel at the Marshall Center nine-week "Leaders for the 21st Century" Course, Garmish, Germany, June-August 1999.
5. Visit of a delegation from the Uzbekistani military institution to the U.S. Military Academy, 4th Quarter 1999.
6. Visit of a delegation from the Marshall Center to Uzbekistan, date to be determined.
7. Participation of Uzbekistani personnel at various Marshall Center conferences during 1999.
8. Visit of Marshall Center Foreign Area Officers (FAOs) to Uzbekistan, April 1 and September 1999.

G. COOPERATION IN OTHER AREAS

1. Visit to Uzbekistan by USCENTCOM and Louisiana National Guard Engineers to discuss possible future joint engineer activities and projects, 1st Quarter 1999.
2. Visit of U.S. delegation to Uzbekistan to conduct a Disaster Preparedness Assessment, 3d Quarter 1999.
3. Visit of U.S. delegation to Uzbekistan to conduct a Counter Drug Planning and Assessment. 3d Quarter 1999.

Signed in the city of Tampa, Florida, 15 December 1998.

For the Chief of the General Staff of the Armed Forces of the Republic of Uzbekistan
Major General Y.N. Agzamov

Commander in Chief United States Central Command
General A.C. Zinni

LETTER TO CHAIRMAN CHRISTOPHER H., SMITH FROM THE AMBASSADOR OF THE REPUBLIC OF UZBEKISTAN

Ambassador
of the Republic of Uzbekistan

August 23, 1999

Mr. Christopher H. Smith
Congressman
U.S. Congress
2370 Rayburn HOB
Washington, DC 20515

Dear Mr. Smith:

I am very pleased to inform you about recent developments regarding the issues that we discussed.

By August 5, 1999, 1,702 religious associations have been registered in Uzbekistan. Among them 1,566 Mslim and 136 non-Muslim organizations (Russian Orthodox Church—30; Christian Full Gospel Church—18; Gospel Christian-Baptist—16; Christian Adventist Seventh Day—9; Lutheran—3; Roman Catholic Church—3; Armenian Apostolic Church—1; Korean Protestant Church—44; Bahai—3; Judaism—8; Bible society of Uzbekistan—1).

The process of registration of religious organizations is actively continuing. Recently, 20 more religious organizations were registered, including the Jehovah's witnesses Church, the Society of Krishna confession, and many others. For your information, the list with their names is enclosed.

The process of consideration of applications and registration is still unfolding. None of the registration requests was rejected.

Upon the decree of the President of Uzbekistan, a special commission for resolving the disputes in registration of small religious communities has been established; this commission has already registered more than thirty small religious organizations with number of members less than a hundred, which is required by the Uzbek legislation.

It is well known that more than 80% of the population of Uzbekistan confesses Islam. Taking it into account, in our opinion, it is impossible to agree with the allegations of some organizations that certain measures can be taken against persons who confesses Islam in Uzbekistan.

During the years of Independence, a total number of pilgrims to Holy Makkah from Uzbekistan reached 24,000 (for Hadj) and 18,000 (for 'Umra), In this regard, I would like to note that during all years of the Soviet period, the number of pilgrims from Uzbekistan has not exceeded 86 persons,

The Higher Islamic Institute (750 students), and nine specialized colleges (1199 students, including 345 females) are operating under the Spiritual Department of Muslims of Uzbekistan. This year, according to the Decree of the President, the Islamic University was created.

Another matter is that for us the use of any religion for obtaining political goals, especially to cover terrorism, extremism and violence by such a peaceful religion as Islam, is absolutely unacceptable. I believe that you would agree with that.

As far as the convicted religious persons whom you mentioned during our conversation, according to the decree of the President of the Republic of Uzbekistan dated August 19, 1999, Rashid Turebaev, Parahat Yangibayev, Eset Tanashev, the members of the Christians Full Gospel Church of Nous city, Ibrahim Yusupov, pastor of the Christians Full Gospel Church of Tashkent city, and Sergey Brazgin, the member of the Jehovah's Witnesses Church from Uchkuduk city, were pardoned. Moreover, the Bukhara Regional Court has revoked the punishment of Nail Asanov.

The above-mentioned persons have already been released from the prison.

On August 18, 1999, the Supreme Court of the Republic of Uzbekistan has revoked its decision to fine Leontiy Ljulkin, pastor of Christians Full Gospel Church of the city of Chirchik.

Mr. Congressman, as I have already informed you, in Uzbekistan due to the number of factors, issues related to the religious sphere are among most important dimensions of government activity and it highly appreciates cooperation with the United States on this issue.

I strongly believe that our further dialogue will promote achievement of the goals, which we certainly share.

Sincerely,

Sodyq Safaev

c.c. Ambassador Bill Courtney
Senior Adviser, Helsinki Commission

Ms. Dorothy Taft
Chief of Staff, Helsinki Commission

Mr. Michael Ochs
Staff Advisor, Helsinki Commission

TASHKENT CITY

1. Society of Krishna confession. Address: 54, Kadirov street, Tashkent city. Head—Vadim Kostricin.
2. New Apostolic Church. Address: 23, Kari–Niyazov street, Tashkent city. Head—Alexander Juravlyov.
3. The Church of Christ. Address; 13, 1st Chonobod-dock street, Tashkent city. Head—Alexey Voskresenskiy,
4. The Christians Full Gospel Church. Address: 121, Mironshokh street, Tashkent city. Head—M. Neizvestniy.

THE TASHKENT REGION

1. The Gospel Christian-Baptist Church. Address: Almalik city. Head—M. Savenko.
2. The Gospel Christian-Baptist Church. Address: Yangibazar. Head—V.Juravlyov.
3. The Gospel Christian-Baptist Church "A New World." Address: Yoqori Chirchik district, Dustlic collective farm. Head—R.Khaybulin.
4. The Gospel Christian-Baptist Church. Address. 37, Bozsu street, Chirchik city. Head—V.Kalinin,
5. The Church of "Sacred George-Triumphant." Address: 1, Navoi street, Chirchik city. Head—R.Budure.
6. The religious community "Jehovah's Witnesses." Address: 4, Nodirabegim street, Chirchik city, Head—P. Tokmantcev.

DZHIZAK REGION

l. Society of Bahai. Address: 3 I, Koshgory street, Dzhizak city. Head—Valentina Marchenko.

NAVOI REGION

1. The Christians Full Gospel Church. Address: Zarafshon city. Head—Alexander Afanasiev.
2. Russian Orthodox Church. Address: Uchkuduk. Head—Oleg Svetlov.
3. New Apostolic church. Address: 25–74, Ochilov street, Navoi city, Head—R. Kashapov.

SAMARKAND REGION

1. New Apostolic Church. Address: 19, Chelak street, Samarkand. Head—Fedor Verner.
2. Society of Krishna confession. Address: 19, Rashidov street, Samarkand. Head—Zafar Kasimov.

FERGANA REGION

1. The Church of Jahovah's Witnesses. Address: 139, Kasimov street, Fergana city, Head—Alexey Lisov.
2. The Christians Full Gospel Church "Transformation." Address; 92, Ulugbek street, Fergana city. Head— V. Rulyov.

BUKHARA REGION

1. Society of Bahai. Address; 24, A.Donish street, Bukhara city. Head—Tolib Rajabov.
2. New Apostolic church, Address: # 25,17/24 Ulyanov street, Bukhara city. Head—Oleg Minkov.

**PREPARED STATEMENT OF CASSANDRA CAVANAUGH,
HUMAN RIGHTS WATCH,
EUROPE AND CENTRAL ASIA DIVISION**

First, let me express my thanks to the Commission for the opportunity to participate in this timely and important hearing. Human Rights Watch is an international, non-governmental, non-profit organization. We conduct regular, systematic investigations of human rights abuses in some seventy countries around the world. We have worked to document the state of human rights in Uzbekistan since 1990, and since 1996 have had an office in Tashkent, the capitol. I have conducted two research trips there, in December 1998 and May 1999 to investigate torture of religious Muslims.

Uzbekistan routinely violates all of the basic rights guaranteed to its citizens and other residents by international and domestic law. The deterioration in basic human rights and freedoms which began in the early 1990s has intensified to such a degree that the country now faces an armed insurgency poised outside its borders. This wholly preventable conflict has resulted directly from Uzbekistan's contempt for its own citizens' rights. Despite the fact that Uzbekistan's population is at least 80% Muslim, persecution of Muslims not affiliated with state-controlled congregations remains one of Uzbekistan's major human rights problems and has given rise to this recent outbreak of violence.

I would like to summarize the origin of this issue and the scope of the human rights abuses involved in order to put the disturbing developments of 1999 in context. In conclusion, I will comment on what steps the U.S. government might take to persuade Uzbekistan to fulfill its OSCE and other international commitments on human rights.

To understand why a state would wish to unleash such cruel repressions against members of its religious majority, some background may be helpful. The Soviet Union subordinated Uzbekistan's Islamic heritage to a militantly anti-religious ideology. Generations of secular Soviet Uzbek elites balanced a split identity, while the population at large remained nominally Muslim, and continued to adhere to popular Islamic life-cycle rituals emptied of much of their religious content. When Uzbekistan became an independent state after the disintegration of the USSR in 1991, President Karimov, formerly the leader of the Uzbek Communist Party, seized upon the revival of Islam, some would argue, as a means of self-legitimation. Political ends aside, this opening created the opportunity for Uzbeks to re-discover their faith and, through the influx of foreign Muslim missionaries, literature, and money to build mosques, to re-connect with the world Islamic community.

This revival contained an inherent tension, however, between state-controlled Islam and the thousands of independent mosques which sprung up during this period. Uzbekistan retained the Soviet system of controlling religion through a government agency, the Spiritual Board, which approved all serving clerics. Many people viewed government-appointed clerics as a corrupt and inauthentic holdover from Soviet times, and sought out independent Islamic leaders. In the early 1990s, as the government was eliminating the secular democratic opposition to President Karimov, the Muslim Spiritual Board encouraged the growth of different Islamic groups, sometimes as a means of controlling the burgeoning crime rate. But the government cut off

any attempt to blend Islam with politics as ruthlessly as it repressed the secular opposition, banning the Islamic Renaissance Party of Uzbekistan. To this date, the whereabouts of its leader, remain unknown.

As early as 1992, the government used outbreaks of violence as a pretext for cracking down on Islamic movements it saw as becoming too powerful. In 1997, however, after the murder of several policemen in the Fergana valley, the government unleashed a full-fledged campaign against the so-called Islamic extremists it blamed for the crime. Eight men were ultimately tried and sentenced, but probably hundreds more were detained and imprisoned, solely on the basis of their affiliation with suspect religious figures. The crackdown culminated in the May 1998 Law on Religion and Freedom of Conscience, which tightened controls on all forms of religious practice, banning proselytizing outright, forbidding the wearing of so-called "religious dress" in public and outlawing all religious teaching, literature, and organized prayer not registered by the state.

By the Fall of 1998, a clear and widespread pattern of targeting independent Muslims for arrest emerged in all regions of the country. Some have estimated that over 80% of all working mosques were closed in this period. Members or alleged members of groups such as Hizb-ut Takhrir, the party of liberation, whose avowed aims include the re-establishment of the Islamic caliphate through exclusively nonviolent means, became particular targets for arrest. By February 1999, when several bombs were detonated in Tashkent resulting in 13 deaths, the state security ministry had reportedly compiled lists of thousands of suspect Muslims, who were systematically arrested in the months following the explosions. The day after the bombings, before the investigation had even begun, the President and the Minister of Internal Affairs both blamed Islamic extremists (in league with the exiled leader of a secular opposition group). The state tried several groups of men, allowing human rights monitors to attend only the first proceeding, which fell far short of the most minimal standards for judicial fairness. In May of 1999, Uzbekistan amended both the Law on Religion and the criminal code to create new penalties for membership in so-called "extremist organizations."

Faced with the prospect of arrest and torture, over one thousand Uzbeks, mostly young men, some with families, fled to neighboring Tajikistan. There they joined a group of Uzbek citizens reportedly led by an Islamic leader who had fled in the early 1990s and fought in Tajikistan's civil war, in territory controlled by Tajikistan's Islamic opposition. After the Islamist-led United Tajik Opposition (UTO) reached an accord with the government, which had been under heavy pressure from Uzbekistan to expel the Uzbeks, the coalition Tajik government announced in August that it would "voluntarily repatriate" its guests back to Uzbekistan. At that point, groups of armed men from the settlement decamped for Tajikstan, seized hostages, and issued two demands: safe passage into Uzbekistan, and for the Uzbek government to free what they claim are the 50,000 wrongfully imprisoned Muslim believers.

The number of Muslims arrested on the basis of their religious convictions in Uzbekistan remains unclear. The government provides no information about the identities and fates of detainees, and trials are often closed even to the families of the accused. Local and interna-

tional human rights groups have interviewed several hundred family members of detainees, as well as the occasional person who is freed from detention, and believe that the number may reach into the thousands.

From this testimony, we see the following pattern of human rights violations: Arrests are clearly discriminatory, based on evidence of piety such as beard-wearing (now extremely uncommon), regular attendance at suspect mosque or individual prayer or Koranic study alone or in groups; Police often plant evidence which forms the basis for initial charges: small amounts of narcotics, ammunition, or increasingly, banned religious literature, or a combination; The authorities act as hostage-takers, arresting family members or occupying family homes to coerce the appearance of a wanted person. Family members have also been sentenced to prison terms solely on the basis of their affiliation with suspected religious figures; From beginning to end, the right to a fair hearing is violated, with accused persons most often deprived of the right to counsel, held in incommunicado detention, and tortured. There are increasing reports of deaths in detention. Being accused is usually tantamount to being convicted, as the presumption of evidence is entirely lacking.

Muslims are convicted of various offenses, often including the attempted overthrow of the constitutional order, membership in religious extremist organizations, terrorism or subversion. In the trials monitored by Human Rights Watch, the state's evidence has amounted to little more than confessions or denunciations extracted under torture. The mere fact of possession of forbidden religious literature is enough to ensure conviction.

Sentences are long, and served in reportedly inhuman conditions. The government is building what can only be described as a concentration camp reportedly exclusively for Muslim prisoners at Jaslyk, in the ecological disaster zone of the Ust-Yurt plateau. According to the Human Rights Society of Uzbekistan there have been at least 38 deaths in custody in this facility.

Even those attempting to defend the interests of persecuted Muslims now face the same fate: in October the state sentenced a member of the Independent Human Rights Organization of Uzbekistan, Ismail Adylov, to six years in prison for "subversion" on the basis of religious leaflets which, according to witnesses, were planted by the police.

Finally, I would like to address what the United States should do to promote Uzbekistan's compliance with OSCE and other international human rights commitments by making two general points:

The U.S. should move beyond talking about the threat of terrorism not justifying repression. Clearly, the problem in Uzbekistan not one of lack of technical capability for reform, but one of political will. Admonition alone, even the most persistent, has had little effect. Recent experience shows that the threat of sanctions can bring about change: Just before the State Department issued its First Annual Report on International Religious Freedom in September, Uzbekistan freed all of its known Christian religious prisoners and promised registration for their congregations, and claimed to have freed over 200 Muslim prisoners as well.

Concessions granted cheaply, however, are ultimately counter-productive, and only give Uzbekistan the opportunity to continue repression with assurances of impunity. After freeing its Christians in Sep-

tember, Uzbekistan thereby reportedly escaped being recommended for designation as a country of particular concern for its violations of religious freedom, which would have made it subject to sanctions. Meanwhile, repression of Christians as well as Muslims continues—in October police raided several Baptist congregations and arrested some of their members. Wrongful convictions of observant

Muslims of political offenses with lengthy prison sentences have also continued. Therefore, we urge you to make Uzbekistan subject to all measures provided for under the Religious Freedom Act.

In conclusion, I note the importance of this hearing in a year when, the human rights crises festering for decades in East Timor and Kosovo broke out into open conflict, requiring the international community to make difficult and costly decisions on intervention. I hope that this hearing indicates that the human rights crisis in Uzbekistan will not have a similar outcome.

PREPARED STATEMENT OF PAUL A. GOBLE, COMMUNICATIONS DIRECTOR, RADIO FREE EUROPE/RADIO LIBERTY

In its dealings with the Republic of Uzbekistan, the United States like all other countries must combine three, often competing sets of interests: geopolitical, economic, and political. Focus on only one of these interests almost inevitably leads to problems; worse focus on the first and second to the exclusion of the third—our interest in seeing Uzbekistan become a free society with a democratic government—is not only shortsighted but counterproductive. That is because the United States is unlikely to be able to achieve its goals in the economic and geopolitical spheres if it ignores Uzbekistan's problems in making the transition to democracy or if it accepts a temporary authoritarianism in the name of advancing other interests.

Today, I would like to make this argument by looking first at Uzbekistan's remarkable strengths and weaknesses, then examine the ways in which Tashkent—often with the understanding if not active support of outsiders—is converting Islam from a religion to a political movement of enor-mous and potentially destabilizing force, and finally consider some of the broader challenges that Uzbekistan and her neighbors are likely to face over the next decade.

UZBEKISTAN'S STRENGTHS AND WEAKNESSES

Uzbekistan presents a serious challenge to itself, its neighbors, and the West because of its peculiar combination of strengths and weaknesses, a combination that is likely to prove more explosive in the next decade than in the past one.

Uzbekistan's strengths are obvious: It is the largest country in the region as measured by population, it has an authoritarian government which is more or less functional, it enjoys the support of the US and some other Western governments as a major security player in the region, and it is by virtue of location and structures inherited from the Soviet period capable of playing a major role in the internal and external affairs of all the countries in the region.

But its weaknesses are equally obvious: Its population is growing at a rate that threatens the capacity of the state to either service or control. Its authoritarian government is behaving in ways that make the future after Islam Karimov likely to be significantly less stable than it is today. Its ties with Western countries are extremely fragile and likely to be suspended for reasons that Tashkent has little control over. Its location and the structures which the Soviet state set up create expectations which the regime is unlikely to be able to meet but will certainly try, leading to the kind of overreach which can destroy any society.

Here I would like to address each of these strengths and weaknesses and then sum up with a prediction of likely outcomes.

Because Uzbekistan has the largest population in the region, many Uzbeks assume that it should play a predominant role there and many outside governments have bet on Tashkent out of the expectation that it will. Indeed, its size guarantees it will be in a position to assume that it can play precisely such a role, and that population can also provide the base for economic development in the future, even though Uzbekistan has significantly fewer natural resources than many of its neighbors.

**The views expressed here are Mr. Goble's own.*

Another aspect of Uzbekistan's population which provides it with a source of strength is the ties between Uzbeks and other Turkic groups. While it is not true that all Central Asian Turks are the same and were only divided up by Stalin to counter the possibilities of pan-Turkism, it is the case that these linkages give Uzbek leaders an opportunity to play games in other countries.

Uzbekistan on several occasions has tried to shift the borders it has with Kazakhstan and Kyrgyzstan, and it has also backed insurgents in Kyrgyzstan as well as playing a less than positive role in Tajikistan. And Tashkent's own concerns about its domestic Tajiks—even those forcibly reidentified earlier—has led it to take a more offensive regional role.

Uzbekistan's ability to do so is further expanded by the presence of a highly authoritarian and at least temporarily functional government. Islam Karimov, it is sometimes said, is the only person who did not leave the Soviet Union; rather, Tashkent wags have it, the Soviet Union left him. His government is repressive but can deliver the goods most of the time and can control most public expressions of opposition. Indeed, the regime is notorious for its control functions.

One of the most ominous features of the post-Soviet landscape is the ongoing construction of two camps for political opponents in Uzbekistan. These camps will resemble the gulag of the Soviet past, and even if no one is ever confined to them, their existence will cast a further shadow over the population there.

And the repression of media, of dissidents, and of intellectual life is now so intense that to a superficial outsider, Uzbekistan looks genuinely stable.

That appearance has attracted outside and especially American support. While no one in Washington believes that Karimov is a positive figure in democratic terms, a large percentage of officials in the US and elsewhere see him as the best prop against Russian influence in the region and as the best means for the West to gain a foothold of influence there.

Uzbekistan has courted this support, not only by its outspoken hostility to Russian designs but even by voting with the US at the UN when virtually no one else did. The Uzbek embassy was in excelsis once when only Israel and Uzbekistan backed the U.S. on one resolution, arguing to anyone who would listen that Tashkent is thus one state on whom Washington can rely.

The US military has been especially supportive of Tashkent, arguing that Karimov may be a bastard but he is "our" bastard and providing Uzbekistan with a variety of both practical and symbolic assistance that the Uzbeks have trumpeted. Indeed, it is because of the ties with Uzbekistan that the Pentagon, alone of the US government agencies, now treats Central Asia in a bureaucracy separate from the ones that deal with the Russian Federation. That step alone has given Karimov enormous influence in many councils and has become a source of annoyance with American policy elsewhere.

But perhaps the greatest strength of Uzbekistan comes from its location and from the structures the region inherited from Soviet times. At the center of the region, sitting astride the major river systems and transport networks, and dominating the landscape as a result (Although as water problems have grown, this status has been chal-

lenged and will likely be challenged still more; see below.), Uzbekistan is in a position to dominate the situation in ways that no other Central Asian state can.

But it is the Soviet arrangements, many of which Karimov continues to exploit, that give Uzbekistan a particular set of advantages. Stalin's division of the region as Central Asia and Kazakhstan—the formula is critical—means that Uzbekistan will always be in a position to try to dominate the region but that it can do so only with at least the tacit support of Kazakhstan. The three other countries of this region are likely to be so overwhelmed by the Uzbeks that they will not be willing to cooperate unless the Kazakhs serve as a counterweight.

Perhaps not surprisingly, all of Uzbekistan's weaknesses are the opposite side of the coin of its strengths. Its population is still growing more rapidly than the state can cope. As a result, Uzbekistan has an extremely young population, one that is potentially explosive in its attitudes. Health conditions and life expectancies are deteriorating rapidly. And the regime has been unable to provide employment or good prospects for many. As a result, the controls of the state are failing to satisfy the population, a pattern that leaves Uzbekistan open to dramatic challenges in the future.

Uzbekistan's most open question is "after Karimov, what?" As long as he is on the stage, Karimov may be able to keep control of the situation through authoritarian means and as a result of his status as the man who led Uzbekistan to independence. But like the leaders of other countries across this region, he is aging and will eventually pass from the scene. The fact that this is so has become the basis of calculations by his opponents. And indeed, it suggests that his policy of driving independence underground means that his power is going to be ever more brittle even if it appears strong.

In the short term, outsiders, including the US, are likely to bet on the strength even if they acknowledge its brittleness. After all, unlike the leaders of many post-Soviet countries, Karimov can deliver, if he promises to. But the brittleness means that his regime is less likely to evolve than to break down or even decay into a kind of anarchy. Should that begin to happen, both his Western supporters of today and his own population would likely shift away from him far more quickly than any of them would admit to planning to do.

And finally, the overreach both at home and abroad implicit in the Uzbekistan of Karimov is likely to destroy his regime and quite possibly his country. Karimov's involvement in Tajikistan and in Kyrgyzstan is already raising serious questions around the world. His repression at home is raising more. And the issues he cannot solve on his own—getting more water, finding jobs for his young population, and developing a sustainable basis of legitimacy other than coercive power—seem ready to engulf either him or his country or both sometime in the next decade.

Because of this pattern, the future of Uzbekistan, like many of the countries of this region, is likely to be ratchet-like rather than evolutionary; that is, changes are likely to come fast and furious after periods of apparent stability and thus be more radical and system-transforming than system supportive. As a result, those dealing with Tashkent must prepare for such changes rather than assuming that no changes will happen at all.

The increasingly youthful Uzbek population, health and employment crises, water shortages, and the probability of rapid Western retreat from Uzbekistan as these things occur will compound the post-Karimov transition, almost certainly guaranteeing instability that is likely to flow beyond Uzbekistan's borders sometime in the next decade.

And that in turn should help to define a diplomatic and political strategy designed to prod Karimov into moving in a more reformist direction lest he be swept away like the shah in Iran.

SUPPRESSING ISLAM, POLITICIZING ISLAM

Islam does not represent a threat to either the social order or political arrangements in Central Asia; but Islamist politics do. Indeed, in Uzbekistan and several of its neighbors, Islamist politics may prove to be the most potent force over the next generation.

This apparent paradox reflects three things that are often neglected in the analysis of Uzbekistan and other Central Asian states: First, Soviet policies had the effect of removing the content of Islam while leaving the label as an important marker of identity, thus opening the way for its fundamental redefinition by political entrepreneurs either supportive or opposed to particular regimes. That also has meant that divisions within Islam that are viewed as so important elsewhere—between the four schools of Sunni Islam, between Sunni and Shiia Islam, and between the dominant community and the more restricted Sufi orders—are significantly less significant in defining how Central Asians who adhere to one or the other will interact with one another.

Second, post-Soviet regimes like Uzbekistan's Islam Karimov have continued the Soviet practice in many ways even as they transform it in others. On the one hand, Tashkent has sought to exploit the Islamic identity of the population as part of the post-Soviet Uzbek identity but to do so in a way that Islamic precepts play much less of a role in political life there than in many countries and also and more significantly in a way that restricts participation by Muslims qua Muslims in political life. Indeed, in its own way, the present Tashkent regime is more anti-Muslim than the Soviet regime was because it has more to fear.

And third, precisely because the regime is able to contain most of the other elements that could provide the basis for the emergence of an independent civil society but refuses to deal with Islam in a supportive way but cannot eliminate either this primordial tie or the institutions that support it, the Uzbek regime has put itself at risk of going the way of the shah of Iran. Indeed, many Uzbek oppositionists of a more liberal persuasion are convinced that Western support for the current Uzbek government is playing the same role that Western support for the shah played in Iran—and more importantly, it will lead to the same consequences.

Here I will focus on these three things, but one preliminary remark is in order. Most discussions about Islam in Central Asia today have been cast in terms of a Taliban-sponsored threat supposedly sweeping north from Afghanistan through Tajikistan even, in the words of some, "to the gates of Moscow." Such discussions in almost every case are intended to push a political agenda rather than to describe reality.

The Taliban does not pose the kind of threat that many in Uzbekistan and elsewhere suggest. It is largely a self-limiting Afghan group, although it does have some ties to Tajik groups in northern Afghanistan. But such charges made in the name of political agendas extraneous to the analysis of facts on the ground have often come to be believed by leaders, including apparently by Uzbekistan's Karimov, and thus become at least in part a self-fulfilling prophecy at least with respect to policy choices.

That has had the effect of detracting attention from the very real role that Islamic attachments do play and has often meant that the expert community has downplayed these precisely because it is convinced that Islam in its Taliban movement form is no genuine threat at all.

As in so many other spheres of life, Soviet policy toward religion in general and Islam in particular was designed to make them national in form but socialist and soviet in content. Islam was during the course of the Soviet period reduced to a shadow of its former self, with the officially permitted Islamic establishment putting forth a completely denatured version of the faith, with individuals who continued to identify as Muslims lacking any access to information about what that attachment actually meant, and with those few who did have such information—elders who passed on the information privately to a small group—frequently being presented as the only true bearers.

Indeed, much Western and even Soviet commentary on Islam focused on what many called the "non-mosque" trend of Islam. Some out of hope and others out of fear saw this as the most important challenge to Soviet power, but in fact as neither Western nor Soviet commentators were happy to conclude, the Islam these groups practiced was also a shell, an identity rather than a program, a primordial tie rather than a political reality. And Islam did not play the role many had expected it to play during the last years of Soviet power.

Not surprisingly, this approach tended to break down most of the important divisions within Islam. When Muslims felt themselves under attack by the Soviet regime, they were less inclined to make these distinctions, in many cases because they no longer knew what they were. And thus suggestions by many that Sufis or Wahhabis or someone else were playing a special role had less to do with facts on the ground or with the meanings of these terms as usually understood than many who used them clearly believed.

Indeed, surveys that have been done show that many Muslims cannot define even the most basic elements of their faith but retain attachment to it as a marker rather than as a guide. The author of this note was once told by Chechen President Djokhar Dudayev that he was a good Muslim and prayed three times a day. Of course, a good Muslim prays five times a day; something a man who had been in the Soviet military and the Communist Party since the age of 18 might not have known. But this does not mean that Dudayev was not in some sense a Muslim because that is how he styled himself even as he insisted on his other identities as well.

Yet another Soviet inheritance that tends to be forgotten is that the Soviet system insisted that certain identities were acceptable and certain others were not, thus creating a hierarchy which the regime tried to control through rewards and benefits. Declaring oneself an Uzbek was good while declaring oneself a Muslim was seldom career-enhancing. Not surprisingly, people learned to declare certain things

and not to declare others; and regimes learned that they could thus control the manifestation of identities even if they could not control the identities themselves.

Almost a quarter of a century ago, the heroine of an Uzbek novel said that she felt always like a Russian matryoshka doll that others were assembling or disassembling and consequently she seldom knew which identity would be on the outside exposed to the world. She expressed what was then a vain hope that she would someday be able to decide which layer could be exposed and hence be the basis of her identity.

Her observations in the novel, *The Diamond Bracelet*, call attention to two things that are often downplayed in a discussion of Islam in Uzbekistan. On the one hand, Uzbeks like everyone else are a bundle of different identifications; they are not one thing at all times. Consequently, those who thought that Islam would overwhelm Uzbekness were simply wrong. And on the other, the Uzbek authorities of today were given a powerful model of how to manipulate identities by rewarding certain kinds of declarations and punishing others, rather than by directly attacking one or the other and seeking to eliminate it. Whatever Soviet intentions may have been, that was what Soviet practice in Uzbekistan consisted of.

In ways that should have surprised no one but that were completely at odds with the predictions of most Western analysts, the post-Soviet regime in Uzbekistan like those in other historically Islamic regions of the post-Soviet space sought to enlist the support of Islamic identity while continuing the Soviet-era practice of excluding Islam as a political force and denaturing it through control of its content.

Tashkent set up its own national official Islamic establishment. It claimed to be speaking in the name of Islam. And it regularly invoked Islam to support the current regime. But at the same time, it sought to restrict any Islamic claims to greater participation in political life—Islam Karimov opposes any such participation by any group—and thus continues to denature Islam as a potential guiding force for Uzbekistan.

To that end, Islam as a force is demonized by discussions of the role of foreign groups, like the Taliban or Wahhabism, as a way of discrediting Islamic attachments by the population. These are not Uzbek and hence not appropriate for any Uzbek even though all Uzbeks are Muslims in some sense, according to the current official ideology.

And also toward that end, Tashkent has restricted access to Islam even as it has proclaimed that it is doing anything but. As in Kyrgyzstan, the police have penetrated the mosque, co-opted part of the ulema, and thus moved to deprive Uzbek Muslims of the kind of independent status they would most probably seek were they in a better position to know their religious traditions.

In all this, Karimov has followed the Russian efforts to reaffirm the Orthodox Church's caesaropapist traditions, hoping to make Islam a national religion in ways that Islam as such does not really allow. And thus Karimov's policies have had the effect of once again dividing the faithful into those with little information about their religion into supporters of the official line -- the overwhelming majority, it should be said—and those with more information who thus counterpose Islam to the official political establishment. This latter group, while still relatively small, may prove to be most important

over the next generation. Precisely because Karimov like the shah has been relatively effective in stifling all other forms of civil society representation and because Muslims in Uzbekistan lack a clear understanding of the cleavages within Islam, those Muslims who have been driven underground as it were may attract the support of all opposition to the regime—precisely because they can offer access to the primordial tie that does unite all Muslims. A recent example of such linkages comes from Azerbaijan where the liberals are now making common cause with several Islamist parties.

To the extent that happens, these Muslim groups could emerge as the dominant feature in a post-Karimov era, and hence Uzbekistan could be transformed into a radical Islamic state even as such states are passing from the scene elsewhere. And those Islamist political entrepreneurs could hijack the opposition movement even as they did in Iran 20 years ago.

None of this is inevitable. But it is one of the challenges that faces Uzbekistan and its neighbors in the future. And it also dictates both a strategy and a diplomacy for those concerned about the emergence of such a regime, one that could undercut much that has been achieved across this region.

CHALLENGES TO CENTRAL ASIA AND TO THE UNITED STATES

It has sometimes been observed that futurology is the last refuge of Sovietology precisely because both fields have so few facts to deal with and those who engage in them can seldom be shown to have been entirely wrong. Nonetheless, both analysts and policy makers routinely engage in futurology if only because that is where each can make a difference. That fact should be kept in mind: All analytic observations about the future are in fact a kind of advocacy, either to allow things to go in one direction or to take steps to block them from doing so.

This comment will try to avoid doing so by outlining five sets of issues that the regimes of Central Asia appear likely to face over the next ten to twenty years, then by discussing the ways in which these five are likely to interact, and then by suggesting a range of alternative futures for the region, since the one thing that is almost certain is that the five countries in Central Asia will have very different and divergent futures. The five countries of Central Asia face numerous challenges of which the most important over the next decade are likely to be these: demography and economic growth, generational change in leadership, access to water, management of the rise of political participation and hence of the impact of primordial ties like Islam, and the dramatically shifting international environment.

The countries of Central Asia are in the midst of a demographic explosion even as they try to find ways to develop economies which in most cases have not taken off and may in fact get worse over the next few years. Because of dramatically high birthrates over the past 40 years and falling death rates both among infants and adults during most of the same period, these countries face an ever younger population, one which must be integrated into economies that are not yet generating the number of jobs that are needed.

Moreover, this demographic revolution, although likely to recede in 30 to 50 years as birthrates fall, puts enormous burdens on state services such as education and health, burdens that none of the post-

Soviet states have been able to deal with entirely successfully. And it thus creates a class of youthful unemployed or underemployed, the most dynamic and potentially most unstable element of the population.

And as these young people move off the land and crowd the cities, they are likely to be available for mobilization by those who want to challenge the existing regimes. Indeed, experiences in the Third World since 1945 suggests that it is precisely this group that will be the primary source of instability in the future of Central Asia and that no government over the longer term can effectively respond unless it has a rapidly growing economy, something the states of Central Asia do not now have and are unlikely to have in the future.

This problem, however, may pale in comparison with the second challenge: arranging for a generational succession in the political elite. Precisely because the current elites have done what they could to keep out anyone else, the passing either physical or otherwise of the current occupants of power is almost certain to be accompanied by instability more or less massive depending on circumstances. And this transfer of power is likely to be even more difficult in Central Asia than elsewhere because of the ideological problems of justifying authority when the leader does not have the ability to claim that he is part of the "founding" generation. That in turn suggests that new leaders in these countries will look to primordial ties in an effort to justify their positions.

The third problem is one that looms over all the others: access to water. In fewer than ten years, the Aral Sea will disappear, but even before that the struggle for access to water is likely to tear much of the comity of Central Asia apart. As arranged by the Soviet system, two of the five countries in the region are water surplus, but three suffer from water shortages. Under Soviet control, the allocation of water resources in Central Asia was decided by Moscow. Now, it must be negotiated, and several of the water short countries are prepared to use a variety of means to gain access to this commodity.

Indeed, this problem is likely to become so serious that while demography will not be destiny anytime soon, hydrology may be, driving conflicts and even wars as regimes and peoples attempt to gain access to water. One can easily see that a search for water is one of the elements behind Uzbek adventurism in Tajikistan and Kyrgyzstan, and one can also understand that Uzbek relations with Turkmenistan and Kazakhstan will be simultaneously driven and restricted by concerns about water.

This is an area that will and should attract far more analysis in the future than it has received so far, and the author of this comment has frequently told his graduate students who are interested in Central Asia that they would be better advised to study hydrology than theology if they hope to understand what is going on there.

Fourth, there is the problem of rising demands for political participation and hence the growing influence of the primordial and professional attachments of the population. As has been noted already, Islam is unlikely to play the dominant role in the politics of Central Asia anytime soon, but Islamist phraseology almost certainly will as political entrepreneurs try to capture support.

In some cases, this calculation will lead to the reform of the political system, but in many others, their assumption that they can control this process is likely to be undercut. Then, Islam, albeit of a highly politicized form, could become the dominant factor in the lives of the states of this region.

And finally, there is the question of the international environment. Russia is currently a failed state, but it is likely to continue to be the dominant player in this region over the next decade because of its relative rather than absolute power. China will matter but likely in a conservative way. The little dragons of Asia will again matter more as their economies recover, guaranteeing that for the next few years at least Daewoo will be more important than Mecca in driving outcomes. But the real change is likely to be shifts in the position of the "far abroad," in this case, in the attitudes and policies of the United States and Europe.

Both the US and Europe are moving in an isolationist direction, and people around several US presidential candidates have already indicated to the Russian government that Washington is likely to be less interested in and supportive of countries in the Caucasus and Central Asia than it is today. That withdrawal of involvement will almost certainly create a vacuum that some in Russia will try to fill—indeed, Russian officials have said that is precisely what they intend to do—but it may also undermine commitments to more democratic arrangements within the region and thus set the stage for even greater instability in the future.

The reasons for this shift away from Central Asia by Washington and also Europe are largely over issues that the Central Asians can do little or nothing about. But the exact way in which this withdrawal takes place in each country will likely reflect at least in part the ways in which the regimes in these countries act not only on security issues but on economic and political ones as well.

Solving any one of these problems would be a test for any government; solving all of them at the same time is likely to be beyond the capacity of any of the states of this region. That is because each of these factors interacts with all four others and what is done to cope with one will cast a shadow on coping with the other four. Looking at all such interrelationships would take more time than has been allotted for this comment. Consequently, this comment will focus on only three of the numerous possible interactions in the region.

First, population growth and water supply. How much water a country needs depends on its population and on its economy. Those countries that can get a handle on one or the other are far more likely to be able to determine their futures than are those states which cannot. Uzbekistan is likely to need far more water than the two water surplus states are likely to be willing to supply unless forced to do so. That fact in turn probably means that Tashkent will pursue an extremely aggressive policy toward those countries using a variety of pressures up to and including the threat or application of force to get water for its burgeoning populations. If it does not secure adequate water supplies, Uzbekistan will experience an explosion or an implosion within a few years, leaving it either a disaster zone that will invite other kinds of actions or a state whose actions have driven others to respond.

Second, leadership and the international environment. To a remarkable decree, Western relationships with the countries of Central Asia have been little more than ties between leaders in the one region with leaders in the other. On the one hand, that is increasingly the pattern around the world. But on the other, it means that any shifts in one can help drive shifts in the other, and these shifts will have economic, political and geopolitical consequences. Precisely because the countries of Central Asia are so new and so unstable and because all of them will have to go through a generational change in leadership precisely as the international environment is shifting for reasons beyond their control, changes in the one almost certainly will affect the other, either accelerating the departure of the West and increasing the likelihood of radicalization within Central Asia or slowing it and opening the door for the possible emergence of more open and long-term stable countries.

And third, Islam and water. Precisely because Islam is supranational in its claims, attachment to Islam might become the basis for challenges not just to any particular regime but to the current system of states in the region. That is not probable, but the possibility will certainly affect the calculations of elites in all these countries and may be used as a form of implicit pressure on those countries which have water surpluses at the present time.

The one completely defensible conclusion is that the countries of this region will continue to diverge and will be more different both domestically and in the foreign relations than they are today.

Western discussions not withstanding, the Soviet period almost certainly will become less and less relevant to an understanding of where these countries are going and how they will seek that future. The author of this note believes that these five countries will include democracies, authoritarian regimes, and failed states at various times over the next 50 years. Which countries will fall into which category depends on both policy choices over which elites have control and extraneous factors—such as changes in Russia, China and the West—over which these regimes have little choice.

But both because Uzbekistan and its neighbors are in a state of rapid and kaleidoscopic change and because each of them is moving on a somewhat different trajectory, all of them are likely to find themselves in a far messier position during most of this period than they have experienced in the immediate post-Soviet years, a development that will continue to challenge American policy and American national interests.

PREPARED STATEMENT OF LARRY UZZELL, DIRECTOR, KESTON INSTITUTE

TORTURE OF RELIGIOUS BELIEVERS IN UZBEKISTAN

A submission by Keston Institute to the United Nations Committee Against Torture considering the first periodic report submitted by the Government of Uzbekistan under the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture), to which Uzbekistan is a party. The Government of Uzbekistan's report is to be considered at the UN Committee Against Torture's 23rd session to be held in Geneva, Switzerland on 17 and 19 November 1999.

1. KESTON INSTITUTE

Keston Institute, based in Oxford, United Kingdom, and with representatives in Moscow and St Petersburg, Russia, is an NGO founded in 1969 to defend religious liberty in postcommunist and communist countries, as defined by Article 18 of the Universal Declaration of Human Rights ... `Everyone has the right to freedom of thought, conscience and religion.'

2. KESTON INSTITUTE'S CONCERNS

Keston Institute has received frequent reports that religious believers of various faiths and denominations who fall foul of the Uzbek authorities are routinely maltreated by law-enforcement officers and subjected to beatings, torture, psychological pressure, threats of violence against their families and deprivation of their legal rights for their faith. Torture is in violation of the Convention which prohibits "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person" (Article 1.1). The Convention also prohibits "other acts of cruel, inhuman or degrading treatment or punishment which do not amount to torture" (Article 16.1).

While all of these forms of maltreatment are illegal under both Uzbek law and Uzbekistan's commitments under the Convention Against Torture, as well as other international human rights commitments, Keston Institute is concerned that the Uzbek authorities appear to have done little to eradicate these practices and to ensure that those who have been maltreated receive redress.

Keston Institute, as an NGO with a commitment to religious liberty, is also concerned that the frequent recourse to torture on the part of the authorities is a method of coercion to prevent religious believers from peacefully practising their religious faith in accordance with their conscience. The use of torture appears to be an integral part of enforcing Uzbekistan's harsh laws on religion, which crim-inalise peaceful religious activity and prevent religious believers exercising their rights to freedom of conscience to which Uzbekistan is committed as a signatory to international human rights instruments and as a member of the Organisation for Security and Cooperation in Europe.

In this report, Keston Institute has highlighted several 1999 cases where members of Uzbekistan's religious minorities have been subjected to torture or maltreatment in violation of the UN Convention Against Torture. Although all the cases cited relate to Protestant

Christians, members of the largest religious faith in Uzbekistan—Islam—have also reportedly been subjected to similar treatment, as have members of other religious minorities.

3. CASE HISTORIES

3.1 RASHID TURIBAYEV AND HIS COLLEAGUES, FULL GOSPEL CHURCH, NUKUS.

Rashid Turibayev, a pastor of the Full Gospel Church in Nukus, was arrested on 22 February 1999. Religious books were confiscated from him and the police claim 2.3 grams of hashish were found on him (a claim Turibayev denied). Turibayev was quoted in the indictment as declaring: 'I do not drink or smoke or use drugs. I believe I am not guilty of anything.' He was sentenced on 9 June 1999 by Nukus City Court on a variety of religious and drug-related charges to a total of fifteen years' imprisonment. He was freed by presidential decree in August 1999.

Two of Turibayev's colleagues in the church, which had been refused state registration, were arrested and sentenced on drugs charges also. Parakhat Yangibayev, who suffers from tuberculosis, was arrested on 24 February 1999 and received a ten year sentence at the June trial. Eset Tanishiev, an officially- recognised invalid, was arrested on 6 March 1999 and received a ten year sentence at the June trial. Yangibayev and Tanishiev were also freed by presidential decree in August 1999.

Both before and after their trial the three men were reportedly beaten on numerous occasions in police custody. They were reportedly tied up and beaten on the soles of their feet with a wooden stick. As leader of the illegal congregation, Turibayev was particularly singled out for beatings and in the spring of 1999 he was sent to a punishment cell after continuing to preach in Nukus prison. On one occasion, in the wake of a beating, Turibayev was deprived of food for three days.

Turibayev had already suffered for his activity with the Nukus church. He was forcibly detained for a month in a psychiatric hospital in 1997, where he was treated with powerful drugs that caused intense pain in the muscles, and was severely beaten more than once. He also reportedly received death threats. He was arrested and sentenced in September 1997 to two years of forced labour on charges of holding unsanctioned meetings, although was allowed to live at home.

The prison administration in Nukus reportedly denied Yangibayev access to medicines from his family to treat his tuberculosis.

The treatment meted out to Turibayev, Yangibayev and Tanishiev clearly constitutes torture as defined in Article 1.1 of the Convention. Moreover, the extraction of confessions from the three accused by the use of torture was in violation of Article 15 and the confessions should have been disregarded by the judge and prosecutor. The Uzbek authorities have failed to initiate an investigation, as required under Article 12, and fear of intimidation, which is banned under Article 13, has prevented the three from filing an official complaint against their maltreatment.

3.2 NAIL ASANOV, FULL GOSPEL CHURCH, BUKHARA.

Nail Asanov, pastor of the Full Gospel church, was arrested in Bukhara together with his fiancee and another woman on 7 March 1999. He was sentenced by a Bukhara court on 30 June 1999 to five years in prison on drugs charges and "spreading extremist propaganda". He claimed the drugs were planted on him in the police station. His parents denied he had ever been involved in drugs and stressed that he had always been law-abiding. Asanov was freed from prison in August 1999 when his sentence was converted to a conditional sentence suspended for three years.

Although Asanov denied the drugs belonged to him, he eventually signed a statement dictated by the investigating officer, fearing that otherwise harm might come to the two women being held in a nearby cell. The statement declared that he had found the drugs outside his home and had put them in his pocket without knowing what they were. The two women were then freed without charge.

All three were threatened during their initial detention on 5 and 6 March, and Asanov was beaten. "Those interrogating us," Asanov's fiancee Irina Stroganova reported, "constantly shouted at us, and we were threatened first by one, then by another." Speaking of their initial detention on 5 and 6 March, Stroganova added: "Nail recounted that during this time police officers beat him." When Asanov and Stroganova were again arrested on 7 March, the police told her that she would not see Asanov again. She was refused further meetings with Asanov.

Asanov's parents testified that two people who saw their son on 10 and 11 March reported that he was in a "terrible state" after heavy beatings. Later on during his incarceration, Asanov was isolated and beaten for falling asleep during the day, which is forbidden. When Asanov was freed from prison in Bukhara in August, he was reported to be suffering pain in one of his legs.

When the police arrested Asanov and the two women, they initially accused him of terrorism. However, even had the police themselves believed this, the Convention Against Torture in Article 2.2 specifically disallows any derogations from its obligations, insisting that the prohibition of torture holds even when the government believes national security is threatened.

The treatment meted out to Asanov clearly constitutes torture as defined in Article 1.1 of the Convention. Moreover, the extraction of a confession from him by the use of torture was in violation of Article 15 and the confession should have been disregarded by the judge and prosecutor. The Uzbek authorities have failed to initiate an investigation, as required under Article 12, and fear of intimidation, which is banned under Article 13, has prevented Asanov from filing an official complaint against the maltreatment.

3.3 IBRAHIM YUSUPOV, FULL GOSPEL CHURCH, TASHKENT.

Pastor Ibrahim Yusupov of the Full Gospel Church in Tashkent was arrested and sentenced on 24 June 1999 by a district court in Tashkent to one year in prison on charges of missionary activity (an offence under Uzbek law). His church had been repeatedly denied official registration.

Yusupov was reportedly beaten in custody, both in prison in Tashkent and after his transfer to a labour camp at Navoi.

Yusupov was freed under a presidential decree in August 1999. In the wake of his release Yusupov was still suffering the after-effects of beatings in prison and in labour camp. He was said to be very thin and to be suffering from pain in the kidneys.

The treatment meted out to Yusupov clearly constitutes torture as defined in Article 1.1 of the Convention. The Uzbek authorities have failed to initiate an investigation, as required under Article 12, and fear of intimidation, which is banned under Article 13, has prevented Yusupov from filing an official complaint against the maltreatment.

3.4 BAPTIST CONGREGATION, KARSHI.

The local police raided the annual harvest celebration at an unregistered Evangelical Baptist church in the city of Karshi on 10 October 1999, detaining, beating and imprisoning many of the participants. Two of the men were given administrative sentences and the authorities threatened to open a criminal case against the owner of the house where the meeting was conducted. The fact that such maltreatment of religious believers has continued after the highly- publicised release under presidential decree of five religious prisoners and the registration of some two dozen religious communities shows that law-enforcement agencies are continuing to use coercive measures - including torture and maltreatment - against religious believers in violation of Articles 1.1 and 16.1 of the Convention.

A 12 October statement signed by members of the congregation in Karshi and another Baptist congregation in Tashkent documents the police raid on the Karshi church. 'Six policemen arrived at the site shortly before the beginning of the celebration service,' the statement recounts. 'The district policeman K. Salokhov asked those present to show their passports, and then took them away. During the worship service, a whole police detail arrived headed by the deputy chief of GOVD [City Department of Internal Affairs] Eshliezov... All of the men in attendance, three sisters, and teenagers who played in the brass orchestra, were taken away to the GOVD (total more than 40 people).'

The statement then records the brutality church members claim was meted out in the police station. 'They kept believers without food until the late evening at the police station. They interrogated them and demanded that they write a letter of explanation. They hit some in the face, head, and kidney area. The police report stated that Christians were participating in an anti-government political gathering under the direction of A. Andreichenko. Those who refused to sign such a report and to write under police dictation were beaten. An ethnic Uzbek brother, R. Usupov, was threatened that he would not be allowed to live in the city of Karshi because he became a Christian; he was severely beaten. (After the beatings, this brother could not sleep at night from pain in his body.)'

Among those detained were several deaf men, who were threatened with arrest if they ever attended church meetings again.

Late in the evening, the visiting Baptists from Dushanbe were taken to the train station and deported from Uzbekistan. All the others were released, except for B. Belan, A. Vakhidov, and A. Andreichenko. The following day, 11 October, Belan and Vakhidov were sentenced to ten days' imprisonment under the Administrative Code.

One of those detained, Nikolai Serin, wrote a brief statement about his treatment in police detention. His statement reads in full: 'The five of us (two of them minors) were brought into an office. I was told to write a letter of explanation. I refused. This really agitated them. They warned me to reconsider. The others were taken out of the office, and they began to beat them with a plastic bottle filled with water (not to leave any marks on the body from beating), then they began to beat them with fists. They put a gas mask over my head, and turned off the air supply and began to strangle me, demanding, "Will you write it?" God helped me to persevere. At the police station they also interrogated the deaf men, and forced the minor, Yevgeny Vinokurov, to translate for them. When he refused to sign the letter of explanation, they beat him, twisting his arms, and pushing against his collarbone so hard that he had to squat due to the pain. They continued to press him, and said, "Do you get it now?" Then they picked him up and hit his legs, so that he collapsed. They threatened to make him a cripple.'

In the wake of the police raid, a group of four 'Christian Mothers' whose teenage children had been maltreated by the police (Yelena Vinokurova, Galina Izmestyeva, Tamar Belan and Alla Andreichenko) wrote a petition to Uzbek President Islam Karimov, complaining of 'the display of lawlessness by the police officers' and asking him to investigate the incidents.

They told the president that their children 'were physically and morally assaulted and threatened. The children were yelled at and forced to write a letter of explanation at the dictation of the police. Gleb Izmestyev had a trumpet placed on his forehead, and forced to stand in such a way... Nikolai Vinokurov was beaten when he refused to answer any questions in the absence of his parents. They beat him in such a way as not to leave any marks on the body: hitting his spine, painful areas on the body, and twisted his arms.'

The treatment meted out to a number of members of the church clearly constitutes torture as defined in Article 1.1 of the Convention. The treatment meted out to other members of the church clearly constitutes cruel, inhuman or degrading treatment or punishment which do not amount to torture, as defined in Article 16.1. The Uzbek authorities have failed to initiate an investigation, as required under Article 12. The use of torture or maltreatment against minors is particularly disturbing.

4. RECOMMENDATIONS

Keston Institute urges the UN Committee Against Torture to do all in its power to press the Government of Uzbekistan to take demonstrable steps to end the torture of religious believers and others.

In addition, Keston Institute calls on the Government of Uzbekistan to:

1. End maltreatment of all detainees.
2. Allow impartial investigation of complaints.
3. Allow detainees full access to lawyers of their choice.
4. Educate law-enforcement officers as to the unacceptability of torture.
5. Allow detainees and former detainees redress through the courts in cases where they have been tortured or maltreated.

6. Prosecute law-enforcement officers found guilty of committing torture.
7. In addition, Keston Institute urges the decriminalisation of peaceful religious activity that does not infringe the liberties of others. It calls for the repeal of the harsh 1998 legislation on religion, the abolition of punitive articles in the criminal and administrative codes that specify heavy penalties for the peaceful exercise of religious rights and the abolition of burdensome registration requirements that make it difficult for religious believers to acquire legal status for their communities. These measures, which would help bring the legal position for religious believers back into line with Uzbekistan's international human rights commitments, would prevent the current, unnecessary conflicts between religious believers and the law and the resulting punitive measures with the risk of maltreatment and torture.

PREPARED STATEMENT OF ABDURAHIM POLAT, CHAIRMAN, POPULAR MOVEMENT OF UZBEKISTAN "BIRLIK"

First, I want to thank you for the opportunity to make this speech here at Congress and participate in discussions regarding democracy and human rights in Uzbekistan. Although I know that discussions here will be held regarding democracy and human right in my country, I know that we will be discussing mainly the absence of democracy and violation of human rights in Uzbekistan.

The United States of America is the center of world democracy and modern civilization. Having said that, I would have liked to discuss these issues in Uzbekistan, and address these problems to my nation. I am saying this because our society is the one that has to deal primarily with democracy in Uzbekistan, and the outside world will have a very small, if any, effect in building democracy in any State.

At the same time, I do realize the problem of those people who are trying to change their system into democracy, who may end up in endless torture, where the help of the international community is necessary. One of the beauties of modern societies is that when one nation needs help, let's say in the case of earthquake in Turkey, Greece, Taiwan, the whole world community will be there to help. The same could be applied for any kind of natural disaster. In the same way, Uzbek nation needs assistance of the world community today. Our nation is under a similar disaster, to be more specific, under a social economic disaster. Another name of this disaster is dictatorship.

The fact that Uzbekistan ended up in ruthless Karimov's hands is not just a fate of the country and history, but another form of "natural" disaster. In order to understand that, one can take a look to the neighboring countries, Kazakhstan and Kyrgyzstan, where the general population's political involvement in day-to-day life is not much different that of Uzbekistan's. However, general conditions are much better and entirely different. But, for those who say that every nation deserves its current government, let me recall the following: Chinese nation has two governments, Korean nation has also two governments, and until recently, even German nation had two governments. Which of the two governments are deserved by the nation? Therefore this concept of judgement is not always fair.

The reason I am comparing the situation to "natural disaster" is because I came here today to ask the assistance of the United States to may Nation, rescue them from the disastrous situation. Yes, I am appealing again to the Western Countries and the United States to rescue my Uzbekistan from current dictatorial disaster.

Let's look at the different side of this issue. Uzbekistan, like the USA, also is a member of Organization of Security and Cooperation, which puts human rights and democracy as its top priority. This priority should be the main legal basis for the United States of America and the OSCE countries to assist Uzbekistan to free itself from dictatorship. I am even prepared to strongly suggest that OSCE countries are obligated to assist as per the by-laws of the membership alliance.

DICTATORSHIP AND WIDESPREAD REPRESSION

There is enough information regarding the political and social-economic conditions in Uzbekistan. Let me explain the situation with a simple anecdote of Gorbachev's "Perestroika" (rebuilding) times. One person openly was distributing pamphlets in Red Square. People were

picking up this paper and were afraid to read it right away in an open location, thinking that KGB may follow them. They disappeared from the scene quickly and in unseen location, opened up the pamphlet to read. They surprisingly find that the paper was blank with nothing written in it. One of the men who picked a paper, on his way back asked the individual, "Why are you distributing this, there is nothing written in the paper." The individual answered, "Why bother to write anything? Everything is already clear."

For those who may assume such a description is not very serious in comparing Uzbekistan, I can give some serious evidence. Mr. Christopher Smith, Chairman of the Congressional Commission on Security and Cooperation in Europe, says the following: "in Uzbekistan, under President Karimov's leadership, there are no registered opposition parties, all media are tightly censored and there are no independent human rights monitoring organizations. Christian denominations have faced official harassment. Moreover, since 1997, an ongoing crackdown on Islamic believers has been underway".

Annual reports of US State Department regarding the conditions on Human Rights in Uzbekistan criticize even more harshly. Although, the above Mr. Smith's quote does not use the words such as dictatorship, the description easily speaks for itself that the regime is purely a dictatorial one.

Yes, in Uzbekistan the dictatorship is very much in Soviet Style. But not like in USSR structure, it is closer to the system of Soviet Times in Poland and Bulgaria. Like these countries, Uzbekistan has pocket multi-party system with forms of private ownership. But in principle, the regime stays the same, in some cases, it becomes even worse in comparison to some of the communist powers.

The above-mentioned Mr. Smith's letter also mentions unfair punishment of Muslims in the country. This is the reality. To speak about repression and put the detailed numbers (statistics) is even more difficult. But one thing is very clear. We are talking about thousands of innocent people being punished. Moreover, now repressions are spreading to relatives and close friends of these Moslems. In case where some of these Moslems are religious leaders, their followers are also being punished. With the Kyrgyz border situation, seeing its mistake, Uzbekistan propaganda swiftly announced that its freeing many of the innocent Moslems. In reality Uzbek authorities only freed some 30-40 people. At the same time, repression is still underway in the same range all around Uzbekistan. Few days ago, Ahmadhon Abdullaev, head of the Namangan Human Rights organization informed us that a trial against several innocent Moslems just ended locally. Seven individuals, aged between 25-30 were sentenced between 16-20 years. This severe punishment was given because of distribution of materials from Hizb-ut-Tahrir, religious party.

I would like specifically to emphasize that severe repression against democratic opposition is also continuing. It is, however, true that Uzbek National Security agents now are not trying to assassinate leaders, as it was in my case in 1992. Nobody is getting beaten up by them or houses getting burned or even their cars bombed. Its just the National Security became much more experienced in handling these kinds of cases.

Let me give you several examples. In December 1998, one of the local leaders of Birlik Movement, Ahmadjon Turahanov was arrested in Namangan. He was already unfairly sentenced once for his political activity in 1993-95 and spent two years in jail. But the reason for his second arrest was that one of his friends gave a statement to Uzbek Authorities that Mr. Turahanov told him that "We want to build Islamic Nation in Uzbekistan. Although Mr. Turahanov denied these allegations, he was sentenced to six years of imprisonment. Lawyers, local human rights activists and even Amnesty International wrote to Uzbek Government and personally to Islam Karimov that imprisonment for extremely ill Turakhanov is not fair, and asked them to free him. But nobody would listen to them. During the last month prior to his death, Mr. Turakhanov's relatives, human rights activists and even prison staff knew that Mr. Turakhanov was in critical condition. But all their appeals to the government were useless. He did die in prison in May, 1999. The Government carried out the death sentence against Mr. Turahanov.

Another example. One of the leaders of Birlik Movement, Mr. Dzhurahon Azimov was arrested in Andijan region in February 1999. During the arrest, police planted drugs, religious papers regarding Hizb ut Tahrir and weapons in Mr. Azimov's pocket. Supreme Court of Asaka town subsequently sentenced him to 16 years of imprisonment on May 5, 1999. According to Andijan human rights activists, the authorities could not even present a single proof. KGB's clever scenario was obvious to everybody. In June 1999, Mr. Azimov was transferred to Karakalpakstan, to village Dzhaslik, a Stalin style concentration camp built by Uzbek authorities. On June 17th, Azimov's family received the statement that Azimov died from heart attack in prison.

Very recently, two more activists of Birlik Movement, Mahbuba Kasimova and Ismail Adilov were arrested in Tashkent. With the trial of few hours, court gave a verdict and sentenced them to 5-6 years imprisonment. Both of them lately were very active in the human rights field. I could give many more examples. Human rights activists collected data regarding jailed opposition-democrats, Moslems, dissident intellectuals and even about businessmen. Most of the human rights organizations are informed about these facts. As far as I know, Congress also is fully briefed regularly on these issues.

UNLAWFUL STATE AND MASS MEDIA

Yes, Uzbekistan is not a country where the rule of law governs the society. It has legal framework on the books, but whatever is not in the interests of the authorities, they will simply ignore. But some of the legal framework is very useful for the Government, and it makes good use of such rules. For example, Constitution of the Republic of Uzbekistan gives to the President endless power. In reality, all Presidential rights are in place and fully used. At the same time, the same Constitution gives some power to opposition and non-governmental organizations. However, let somebody try to use these rights. It is impossible to make any of these rules work. Not a single truly independent organization has been registered in Uzbekistan to date. In 1991, after the failure of the coup, Karimov's party was not in a posi-

tion to fully integrate itself into the system. Therefore, it had to give initial green light to register parties such as Erk, which at the time was pro-governmental, and "Birlik" movement.

However, in 1993, when Karimov's government fully integrated itself into the system, it simply cancelled registration of these parties. Especially to cancel these registrations, the government created special re-registration process for politically-oriented organizations, and the government now only registers the organizations that fully follow its policies. Now government tries to claim that Birlik and Erk formally do not exist, although Constitution clearly states only Supreme Court or respective conventions of these organizations may decide to close them down. In our case, there was no court process was held. Let me give you an example of re-registration in another FSU country. Russia adopted the same policy and carried out re-registration of its political institutions. But rules were such that any institution that did not file the re-registration, or organizations that just disappeared were subject of official closure by edict of the Supreme Court of Russia.

I want to point out that Uzbek government even refused registration of human rights organizations. No doubt that such rules create for any member of OSCE extremely bad track record. I am not sure, but sometimes I feel that some of the member countries of OSCE try to comfort themselves that whatever goes on in Uzbekistan is justifiable.

Of course Uzbekistan government is having a very hard time convincing everybody that its Soviet Style ruling is justifiable under the current circumstances. But Uzbekistan is a big country with 25 million population, and its is almost impossible to direct by Soviet way of ruling the country. Therefore, the government is forced to develop the legal base. But how are they doing it? They are achieving their goal by creating rules for their own benefits. I want to give one example in this respect, which I may have talked about several times.

We are talking about the law on mass media. By the look of it, this law does not seem that bad. It looks like the Russian Law of the same category. But Russian law clearly states that any mass media organization seeking registration must present all required documents in full and order. It also makes clear that the registering organizations do not have the right to ask any additional documents in regard to the registration. But Uzbek Law states that the similar organization in Uzbekistan also must present all required documents. On top of it, Uzbek authorities reserve the rights to require any additional documents, which they deem necessary. Under such laws, only Government favored organizations could gain the registration.

Therefore, it is not a surprise that in Uzbekistan there is no truly free mass media. In this respect, I would like to make some remarks regarding the American Government funded Media agencies that deliver services to Uzbek Listeners, Voice of America, and Radio Liberty. It is clear these services could play a precious role since there is no independent media in Uzbekistan. Voice of America's service improved since an Uzbek dissident journalist started working for Uzbek Service. However, Radio Liberty's Uzbek service very much acts as propaganda vehicle for Karimov's policy of strengthening dictatorship in order to keep the stability. I must admit that this is with the exception of Mr. Pail Goble's and opposition's rare appearance at the

Radio. I would not be surprised if Radio Liberty decides not to air this meeting to Uzbek listeners in order not to spoil its close relationship with the Government.

ECONOMIC TRANSITION AND MARKET REFORMS

Let me warn those who make a mistake by saying that although democratic changes are not happening, Uzbek government is carrying out economic reforms. Because transition is not taking place or they have been misinformed, International Monetary Fund has cancelled its loan arrangements with Uzbekistan and is not prepared to go ahead with any new plans in the future. If you look at the per capita share of the technical assistance from USAID, World Bank, and other international institutions, Uzbekistan is well behind from other Newly Independent States. Convertibility is another issue. Although I am confident that Karimov will fail to deliver convertibility in early 2000, I just want you to be witness for yourself.

One of the main illness of our nation is widespread corruption. Even World Bank documents state that corruption arises when government officials have wide discretionary powers. Situation gets worse when the country is dictatorial with additional red tape and greatly discourages any type of flow of investment. Corruption is unfortunately flourishing in Uzbekistan with highly distorted policies of the government and weak law enforcement in the country. Effectively, it is reducing our economic growth, but increasing the personal wealth of government officials, by effectively stealing it from country's treasury. In such highly corrupt and Soviet Style conditions, there is 60%-90% chance that investor will lose entire capital in the country. It is also a pity to state that there is no independent watchdog in Uzbekistan that regulates any segment of the economy or business. I think this is more than enough to show that transition to the market economy to Uzbekistan is not happening.

Uzbek economy is agricultural industry-driven. Its economy will not change until economic reforms of agriculture are carried out in the countryside. However, Collective Farms, which just changed their name, still dominate agricultural industry. Therefore, poverty is growing and decline in growth could be easily felt, where most of the population of the republic lives. I think this more than enough to illustrate that the transition to the market economy is not taking place.

FEBRUARY TASHKENT BOMBINGS AND UPCOMING ELECTIONS

Uzbek secular opposition always warned Uzbek authorities that widespread repression against Muslims to preserve authoritarian dictatorship will create radical Islamic groups and even may produce a civil war. But Government still is pressing ahead with its repressive policies. According to the secular opposition, the number of bombs that went off across Tashkent in February 16, 1999, which resulted in heavy human casualties, was organized by Uzbek authorities in order to start next wave of repression in the country. By doing this, they planned to crack down all opposition activities even further and do not allow opposition to participate in upcoming elections. It was widely known that the leaders of some of the organization, including myself, were seriously considering returning to Uzbekistan prior to the elections.

Why do we think the Government of Uzbekistan arranged these bombings? First, because it is impossible to organize and implement extremely large scale acts in the center of Tashkent, where everything is under the tight control of Tashkent, even the private life of the people. Very suspiciously, Karimov, literally in a matter of minutes, showed up at the bombing scene and without any investigation, announced that this was the act of the Islamic extremists. Within a short period, several thousand people were arrested across the country.

All arrested individuals, after being tortured in KGB's basements, confessed their "crimes." None of them were allowed to have lawyers or to be seen by human rights activists. Government wrapped up the whole case within an incredibly short period of time and harshly sentenced these people. Afterwards, it was clear that Government could not produce any credible evidence regarding the crimes of these people.

Now it is becoming even more clear how government took actions to get evidence it wanted from these people. These include Soviet style tortures and new Uzbek ways of torturing these individuals. Here is one example. When Uzbek Authorities questioned Mr. Mamadali Makhmudov, one of the Erk's activists, they even got to the point where they undressed his wife and daughter, and said that they will rape them if he refuses to sign the papers. Another individual's mother also told to "Voice of America" Radio, October 9,1999, that she was undressed in front of son and both were told if he did not sign the confession, they would rape her in front of him. This is all happening in a country that is an OSCE member.

During this period of repression, surveillance of dissidents has become even more widespread. In fact, Mr. Karimov made an open statement before his visit to NATO summit here in Washington that not only these "criminals" should be prosecuted, but their parents and relatives should face prosecution as well. Moreover, he is even ready to cut off 200 heads by himself. In these circumstances, it is normal to expect thousands of families fleeing to neighboring countries, especially to Tajikistan, continuing on to Afghanistan and Pakistan. It is not surprising that these people formed the Islamic Movement of Uzbekistan and started Holy War "Jihad" against Uzbek Government, and they already moved into new established military bases in Kyrgyzstan. Popular Movement "Birlik" in its press release (September 24, 1999) states that, as a democratic institution, it does not support such actions, which may lead the country to the civil war. But one problem is clear: we are on the eve of civil war, and if we don't take any actions to stop it, this could lead to long bloodshed in the region.

In its Press release, September 24, 1999, Birlik appealed to the Government of Uzbekistan and recommended stopping internal repression and political policies, freeing innocent people, and starting round table discussions with democratic and Islamic opposition. However, we do not see any sign from the government to follow any common sense suggestions.

Preparations for elections in Uzbekistan are going with full speed, which are going totally against the democratic principles. Opposition is barred from participating in these campaigns. Exiled leaders of democratic opposition decided to delay their return to Uzbekistan.

These elections will not have any positive effect on the state of the nation. On the contrary, it may have a negative effect and destabilize the situation. It seems like the civil war is not avoidable.

ROLE OF OSCE AND UNITED STATES OF AMERICA

Although, the current situation in Uzbekistan is very bad and the future even looks worse, Uzbek democratic opposition is not losing its hopes. With the assistance of International Community, mainly from the member countries of OSCE, it is still possible to stop the bloodshed and find the solution in the best interests of Uzbek Nation.

I would like especially to stress that Birlik never appealed to International Community to isolate Uzbekistan because of Uzbek Government's dictatorial and anti-democratic policies. On the contrary, we always suggested that Uzbekistan should be more rapidly integrated into the World, particularly to the West, assured that this would actually help to accelerate the democratization process in the country. Getting more to the point, we thought that if Uzbekistan becomes a member of OSCE, it would be forced to make necessary democratic changes and follow human rights. Now, I can clearly say that this is not happening.

As is the case of OSCE, the United States also limits itself to a rare statement about Uzbekistan in regard to Democracy and Human Rights. Unfortunately, in our view, these countries are not taking needed steps to influence the government to change its current policies, as they do in the case of some other countries.

Moreover, Uzbekistan uses its OSCE membership to strengthen its dictatorial policies. The government makes the following statement to the Nation: "We follow all the norms of democracy and human rights in accordance with world standards. Do you think Karimov would get the invitation to the NATO celebrations to Washington if it (international community) believed what opposition is saying. Would he sit next to the Present Clinton?". I already told you what kind of devil statement Karimov made in Tashkent prior to his departure to this summit. The nation, observing all these developments, believes that the world community is agreeing with Karimov's current policies.

In this respect, I would like to remind you of some episodes from formal American-Uzbek relations. Secretary of State James Baker met with Opposition leaders during his trip to Uzbekistan in 1992. After the assassination attempt on me, Karimov made a statement that he is ready to blow out the brains of more opposition leaders. After that statement, Bush Administration immediately cancelled Karimov's trip to USA.

Learning from past experiences, Karimov was making preparations for his meeting with President Clinton in 1996. He actually released some political prisoners and promised to register Human Rights Organizations prior to his trip to the United States. But after his trip, he again continued his mass repression. It seems to us that Karimov does not feel that current US administration is tough enough in human rights issues.

High-ranking OSCE officials visit Uzbekistan often, including its Chairman. In fact, very recently Mr. Knut Vollabeck officially visited Uzbekistan. Obviously, Uzbek nation is not informed about his meetings with Human Rights activists, but Uzbek government won great

publicity out of this when he made speeches in official ceremonies. In general issues, his speeches gave support to the Karimov's government.

I am confident that the Government of Uzbekistan tries hard to convince these guests that its iron handed policies aim to stop Islamic extremism and even stamp leader of "Erk" as Islamic fundamentalist. But what can they say in regard to Human Rights Society of Uzbekistan and Popular Movement "Birlik"? They have a hard time to justify to make any negative statement. They simply don't say anything.

WHAT ACTIONS ARE NEEDED?

Uzbek democrats, especially Birlik activists, are carrying on with their hard task even in such difficult circumstances. However, in this respect, let me tell you what kind of support are we looking for.

We still hope that United States and OSCE will influence the development of democracy in Uzbekistan. I am not going to put forward here major but unmanageable tasks. However, I would ask to concentrate your assistance on one important issue, which could be a great step in democratic change in the country. This problem is the registration of Human Rights Society of Uzbekistan and validation of the registration of Popular Movement Birlik.

Currently Human Rights activists are preparing their documents to appeal to court in regard to the registration issue. This is very important step, since even President Karimov claims that the building of law abiding Society in Uzbekistan is very crucial.

The main issues in terms of registration stand as follows. In regard to Birlik's validation, it still has its old registration certificate, which is currently considered by Uzbek authorities as invalid. Authorities refused to issue a new certificate based on the anti-constitutional decree of the Government. Hence, Birlik is considered by officials as not legally registered. In terms of Human Rights Society, Government is illegally refusing to register it. But to prove illegal rejections to the Ministry of Justice officials is impossible. I think our efforts to challenge Uzbek Government in the court could prove to be beneficial if OSCE and the Commission on Security and Cooperation of the U.S. Congress assist in the process.

Considering the importance of the situation, these two organisations could assign their observers during these processes and even help that it actually gets fair attention. It is well known that settlement of the civil unrest and conflict in "hot spot" locations of the world is the responsibility of United Nations Security Council and OSCE. It might seem the current conflict in Uzbekistan, which refuses to register democratic and Human Rights organisations, not that important. In reality, it is very important. The positive settlement of this case and outcome during the court process will have positive effects in the future. I will outline these two:

People will believe, in line with democratic principles, you can settle government abuses and it will stop people fleeing from Uzbekistan and joining radical forces.

The Islamic Movement of Uzbekistan, that convinces society that there is no other way to deal with the Government of Uzbekistan but force, will loose its main "card" for holy war and may join progress of democratic process in Uzbekistan

From a strictly legal point view, there is no doubt in my mind that Human Rights Society and Popular Movement Birlik will win this court process. Therefore, it is of utmost importance to convince sides to conduct the process. If the democratic activists cannot make the Government conduct fair court process with the help of international organisations, then may be OSCE and Committee of Congress should review their relationship with the Government of Uzbekistan.

I state again that it is very important to register and validate democratic organisations. I would ask the Committee of the Congress to make every effort to assist in registering Human Rights Society of Uzbekistan and validation of Birlik Movement, and include it in its future concrete action plans in Uzbekistan. Your assistance is greatly appreciated, and I am ready to coordinate with your respective assigned officials to work and keep you all posted in the future.

I thank you all for your kind attention.

LETTERS TO ISLAM KARIMOV, PRESIDENT OF UZBEKISTAN, SUBMITTED BY HUMAN RIGHTS WATCH/ HELSINKI

July 7, 1999

President Islam Karimov
Government House
Tashkent Republic of Uzbekistan
Via fax: (998712) 39.55.25

Dear President Karimov:

On behalf of Human Rights Watch please accept my regards.

I am writing to you today to express my shock and outrage at the beating and detention of Mikhail Ardzinov, one of Uzbekistan's leading human rights defenders.

On June 25, police forcibly arrested Mr. Ardzinov, chairman of the banned, nongovernmental Independent Human Rights Organization of Uzbekistan, as he was standing at a bus stop, on his way to observe the trial of a group accused of belonging to a banned Islamic group. Human Rights Watch believes that the arrest, beating, and confiscation of Mr. Ardzinov's property, which coincide with his advocacy on behalf of individuals painted as government opponents, was intended to thwart similar human rights work.

According to Ardzinov, whom Human Rights Watch interviewed soon after his release from custody, the police held him for nearly fourteen hours. They reportedly beat and kicked him throughout. A U.S. Embassy medical officer who examined him after his release confirmed that he had suffered two broken ribs, a cut nose, contusions to his kidneys, and a concussion. During the interrogation, in which Ardzinov was refused access to medical care and to legal counsel, police brought Ardzinov before a panel of three psychiatrists, threatening him with psychiatric detention. The district prosecutor ordered Ardzinov to appear for further questioning the following day. However, under advice from the U.S. Embassy doctor Ardzinov has remained at home to recuperate from his injuries. Human Rights Watch believes that Mikhail Ardzinov is in danger of further mistreatment by the police if he is again brought in for questioning. Mr. Ardzinov told Human Rights Watch that at approximately 9:30 am on June 25, three plainclothes officers seized him on the street and brought him by car to his apartment, beating him in the chest, ribs, and kidneys on the way. Another six plainclothes officers and two witnesses were waiting at his home. With them was a uniformed investigator from the Tashkent City Police Department (GUVD), Liudmila Vladimirovna Sich. Officers reportedly continued to beat Ardzinov in the sides and lower back as they took him out of the car. He screamed to neighbors for help and at least one neighbor reportedly witnessed the beating. Under the supervision of Investigator Sich, the officers confiscated all of Ardzinov's human rights documents, including the archives of his organization, his telephone/address book, which likely contained the names of informants and victims whose identities were meant to remain confidential, his passport, his pension card, engineering diploma, and his organizational identification, along with his computer, xerox machine, fax machine, typewriter, all

of his blank paper, and his only good suit. They provided no record of what was taken. During the search, the officers reportedly left the apartment in complete disarray.

As Ardzinov protested, one officer allegedly punched him in the nose. Then three officers pounced on him, beating him to the floor. According to Mr. Ardzinov, they continued to kick and beat him as he lay on the floor of his living room and as they transported him to Tashkent police headquarters.

There, Investigator Hatam Yuldashevich Yakubov reportedly subjected Ardzinov to nine continuous hours of interrogation during which more physical violence was threatened. Yakubov refused Ardzinov's repeated requests for medical assistance and denied him access to his lawyer.

The investigator informed Ardzinov that he was charged with hooliganism. Yakubov presented him with written testimony from two witnesses describing offensive letters which Ardzinov allegedly wrote them and distributed to other people. One complainant, Vasilia Inoiatova, a human rights activist from a rival group, confronted Ardzinov in person. Investigator Yakubov questioned another person affiliated with Ardzinov's own organization, Rafshan Hamidov, to give testimony against Ardzinov. Hamidov, who has been in police custody since his arrest on May 14, stated that Ardzinov was involved in anti-state activities and was against the government.

Investigator Yakubov did not, however, question Ardzinov about the letters he allegedly wrote, but rather about his human rights organization, his alleged support of Islamists, and his alleged links to exiled opposition leader Mohammed Solih. This line of questioning, together with the confiscation of all of Mr. Ardzinov's organizational equipment and supplies, down to his business attire, leads us to conclude that the object of this brutal arrest was not the pursuit of a criminal charge in relation to the complaint against him, but rather to thwart his human rights activistm.

In the course of the interrogation, Investigator Yakubov sent Ardzinov to Tashkent's main psychiatric clinic. Ardzinov, whom Soviet officials subjected to two months of groundless psychiatric detention in 1985, refused to speak with doctors. Afterwards, Yakubov and Lieutenant Colonel Derganinov reportedly continued questioning, threatening Ardzinov with detention in the notorious basement of the MVD, where prisoners in pre-trial detention are often tortured. They released Ardzinov at 11:00 p.m., ordering him to appear for questioning the next day.

Human Rights Watch's Tashkent-based representative provided to Detective Yakubov a written record of the U.S. Embassy medical officer's examination of Ardzinov, which recommended strict bed rest. Yakubov refused to rescind the order for Ardzinov to appear for questioning, however, calling the medical report a "fabrication." Ardzinov remains at home and has announced a hunger strike in response to the charges against him.

We are concerned that the brutal assault on Mr. Ardzinov is merely the latest in a series of attacks sponsored by the government against him and other human rights defenders. In 1992, for example, security agents admitted to Mr. Ardzinov to having planted an explosive device on the front door of his home which nearly killed him and which caused severe damage to his home. Subsequently, the government

has denied him the right to leave the country (which it later lifted under foreign pressure); arbitrarily detained him when he was due to meet with visiting dignitaries or participate in human rights conferences; refused to grant legal status to the human rights organization which he directs; and was complicit in the several physical attacks on him in subsequent years, including only days before his arrest, on June 10. Ardzinov has also been subjected to near constant surveillance since the February 16 bombings in Tashkent.

How states act towards those who, like Mr. Ardzinov, work to expose and to remedy the darkest facets their treatment of citizens and others is the best measure of respect for human rights. Human Rights Watch finds cause for alarm in the recent atmosphere of intolerance, harassment and open persecution of human rights activists, which we detail in a forthcoming report. As you know, the methods used to arrest Mr.

Ardzinov completely contradict Uzbekistan's international commitments as a member state of the OSCE, and under the International Covenant on Civil and Political Rights. The use of criminal charges to stifle dissent calls into question your government's fundamental willingness to uphold those obligations.

We therefore urge you to personally ensure the following: that any ensuing investigation against Mr. Ardzinov will fully conform to international standards; that his access to counsel at all phases of the investigation will in no way be hampered; and, that the officers responsible for ordering, observing and carrying out the beating, including Investigators Sich and Yakubov, be disciplined.

Sincerely,

/signed/ Jonathan Fanton
Chair of the Board
Human Rights Watch

August 9, 1999

President Emomali Rakhmonov Dushanbe
Republic of Tajikistan
Via Fax: (7 3772)215110

President Islam Karimov
Government House
Tashkent
Republic of Uzbekistan
Via Fax: (99871)1395315

Gang Li
Head of Office
United Nations High Commissioner for Refugees (UNHCR)
Dushanbe
Via Fax: (7 3772)510039

Dear Sirs,

We write to express our alarm at the imminent expulsion of an es-timated 1,600 Uzbek citizens from Tajikistan to Uzbekistan, all of whom would face persecution if they returned to Uzbekistan, and thus have a legitimate claim to refugee status.

As you know, in mid-May 1999 reports surfaced concerning the arrival in Tajikistan of several hundred Uzbek citizens, residents of the Ferghana Valley. There are now approximately 1,600 Uzbek nationals in the Karategin Valley, in northeastern Tajikistan. According to local residents and testimony gathered from the displaced persons by United Nations personnel, the Uzbek nationals fled political and religious persecution linked both to the February 1999 bombings in Tashkent and to a religious crackdown in the Ferghana Valley, ongoing since at least 1997. Entire families fled to Tajikistan, where they have since been housed in local homes or public facilities. Karategin Valley residents have indicated to Human Rights Watch that in at least some areas the presence of this group is causing a strain on the food supply. In addition, local residents claim, their presence has caused political and military tensions.

On June 17, 1999, as peace negotiations between the Tajik government and the United Tajik Opposition (UTO) were at a breaking point, the two signed a comprehensive protocol that included an agreement to expel the Uzbek citizens back to Uzbekistan by July 1. The protocol not only flagrantly violated international law, but was as well signed a full month before the United Nations High Commissioner for Refugees (UNHCR) had visited the region to assess the living conditions of the Uzbek nationals and their reasons for flight. Fortunately, the expulsion order was not carried out. A mid-July visit to the area by UNHCR determined that a second mission must be sent to conduct registration and asylum interviews. UNHCR has stressed repeatedly in public fora that no one seeking asylum should be expelled by force until he or she has been granted an opportunity to have a full and fair hearing of his or her asylum claim, and that each has the right to return home voluntarily.

Nonetheless, the government of Tajikistan has since that time continued to assert that the Uzbek nationals will be deported. These statements have created widespread fear among this group. Furthermore, UNHCR has as yet been unable to send a planned second team of experts to the region.

As a signatory to the 1951 Convention Relating to the Status of Refugees, Tajikistan is obligated to conduct refugee status determination in line with the standards and procedure outlined in that convention. We note as well that Tajikistan recently renewed its commitment to international human rights law when in late 1998 it ratified the International Covenant on Civil and Political Rights (ICCPR) and its Optional Protocol, and when in early July 1999 a humanitarian commission under the leadership of Deputy Prime Minister Abdurahmon Azimov was established to ensure implementation of international humanitarian law.

It is almost certain that the Uzbek citizens currently located in the Karategin Valley would be subjected to persecution and maltreatment should they be deported. Uzbekistan has a disastrous human rights record. Mass arrests, a crackdown on human rights activities, and persecution of religious Muslims, much of which has been documented by Human Rights Watch, have increased dramatically since the February 16 bombings in Tashkent.

We call on the government of Tajikistan to respect its obligations under international law, in particular the principle of non-refoulement as outlined in article 33 of the 1951 Geneva Convention Relating to the Status of Refugees, and we urge UNHCR to use its good offices to ensure that all those at risk are given access to a full and fair refugee status determination process in compliance with international refugee standards, in order to distinguish between those deserving international refugee protection and those who should be excluded from international protection because they are suspected of having committed war crimes or crimes against humanity. Furthermore, all refugees must comply with Tajikistan's laws; those who have violated the law should be prosecuted in Tajikistan. Finally, we call on the government of Uzbekistan to halt persecution and harassment of religious Muslims.

We respectfully submit the following recommendations: the government of Tajikistan should refrain from making public statements about the expulsion of the Uzbek citizens back to Uzbekistan, and that it refrain from making public statements on their fate until such time as a refugee status determination process compliant with international standards has been completed; the government of Tajikistan should provide the displaced with adequate shelter and food; the government of Tajikistan should fully cooperate with UNHCR and give UNHCR full access to the group in question; UNHCR should use its good offices to ensure that the governments of Tajikistan and Uzbekistan uphold their commitments under international law, and in particular to prevent refoulement of the Uzbek nationals to Uzbekistan; states signatory to the 1951 Geneva Convention Relating to the Status of Refugees and active in the region should use their good offices to urge that Tajikistan and Uzbekistan comply with their obligations under the Convention; and if any of the displaced are returned to Uzbekistan, the government of Uzbekistan should in good faith grant them assurances of safety.

It is crucial that all parties accord the situation of the Uzbek citizens high priority at this critical juncture in regional stability—as the Tajik peace process moves towards elections, as fighting in neighboring Afghanistan once again threatens to spill over the Tajik border, and as in Uzbekistan religious and political freedoms come under increasing repression. The time is now for all to shoulder their responsibilities as humanitarian actors.

Thank you for your attention to the concerns raised in this letter. We look forward to your reply.

Sincerely yours,

/signed/ Holly Cartner
Executive Director, Europe and Central Asia Division
Human Rights Watch

cc: Said Abdullo Nuri, Chairman, Commission on National Reconciliation
Paolo Lembo, Special Representative to the Secretary-General a.i., UN, Dushanbe
Marin Buhoara, Head of Mission, OSCE, Dushanbe
Georg Cunz, Head of Delegation, ICRC, Dushanbe
Lise Grande, Senior Humanitarian Affairs Officer, UNOCHA, Dushanbe
Matthias Meyer, Ambassador, Embassy of Germany, Dushanbe
Evgenii Belov, Ambassador, Embassy of the Russian Federation, Dushanbe
Robert Finn, Ambassador, Embassy of the United States of America, Almaty
Elisabeth Schroedter, Member, European Parliament, Brussels
Eduard J. Flynn, U.N. High Commissioner for Human Rights, Geneva
Esko Kentrschynskyj, Head of Unit–ECHO 2, Brussels
Ishrat Hussein, Director for Central Asia and Azerbaijan, World Bank, Washington, D.C.
Shamsul Bari, Director C.A.S.W.A.N.A.M.E. Bureau
Daniel Bellamy, Head of Desk, Tajikistan

Erika Feller, Director, Dept. Of International Protection

September 30, 1999

President Islam Karimov
Republic of Uzbekistan
Via facsimile: (99871)139-5635

Dear President Karimov,

On behalf of Human Rights Watch, I extend our respects.

I am writing today to express our deep outrage at the conviction of human rights defender Ismoil Adylov. The case against him was politically motivated and based on spurious charges. In light of other recent attacks on human rights defenders, it is difficult not to see the arrest and conviction of Adylov as part of an overarching government campaign designed to silence human rights activists' exposure of abuses and criticism of government policies. Human Rights Watch has worked closely with Adylov and others in the Independent Human Rights Organization of Uzbekistan for many years. We found his dedication to the accurate documentation of human rights violations to be beyond reproach and his commitment to non-violence to be beyond question.

On September 29, Syr Daria district court judge Mirsharaf Meliev sentenced Adylov to six years in prison on charges of anti-constitutional activities, subversion, and distribution of literature of a banned organization.

Human Rights Watch investigated the case against Adylov and found the government's allegations against him to be wholly uncompelling. Police claimed to have found religious pamphlets written by the unregistered Islamic organization Hizb-ut-Tahrir in Adylov's house. The government charged that the ideas contained in these religious pamphlets included criticisms of President Karimov and a call for the establishment of an Islamic state. The prosecution claimed that possession of materials that express such ideas constituted "encroachment upon the constitutional order of the Republic of Uzbekistan" (criminal code article 159, part 3). Moreover, the state charged Adylov with intent to distribute these pamphlets, and to disseminate these ideas, because police claimed they found one hundred leaflets, a large amount.

Human Rights Watch interviewed family members present at the time of Adylov's arrest and the police search. They testified that the pamphlets police profess to have discovered among his belongings were not present prior to the officers' entry into the house. Adylov's daughter had, approximately one hour earlier, opened the very notebook police claim held the leaflets, when she handed over her father's passport to the arresting officers. She testified that there was no religious literature there. The practice of planting religious pamphlets on men in order to incriminate them is infamous and well documented. The number of such cases has in fact risen dramatically during the government crackdown on members of the unregistered Islamic organization Hizb-ut-Tahrir and on other Muslims not affiliated with government-sanctioned mosques.

We also note that the actual possession of written materials that express peaceful ideas about politics and religion, even when these ideas are unpopular or contradict the ideas of the government is nonetheless protected by international guarantees to freedom of conscience and freedom of expression. In violation of these protections, Uzbek courts have convicted dozens of members of Hizb-ut-Tahrir for the ideas they hold.

PRESS RELEASES FROM HUMAN RIGHTS WATCH/HELSINKI SUBMITTED FOR THE RECORD

UZBEKISTAN POLICE SAVAGELY BEAT HUMAN RIGHTS ACTIVIST; RIGHTS GROUP CALLS CHARGE OF "HOOLIGANISM" SPURIOUS

(New York, June 28, 1999)—Human Rights Watch condemned today the beating and detention of Mikhail Ardzinov, one of Uzbekistan's leading human rights defenders. On June 25, police forcibly arrested Mr. Ardzinov, chairman of the banned, nongovernmental Independent Human Rights Organization of Uzbekistan, as he was standing at a bus stop, on his way to observe the trial of a group of men arrested, like thousands of others in recent months, in this Central Asian government's terrorizing anti-Islamic crackdown.

According to Ardzinov, 63, whom Human Rights Watch interviewed soon after his release from custody, the police held him for nearly fourteen hours. They reportedly beat and kicked him throughout. A U.S. Embassy medical officer who examined him after his release confirmed that he had suffered two broken ribs, a cut nose, contusions to his kidneys, and a concussion. During the interrogation, in which Ardzinov was refused access to medical care and to legal counsel, police brought Ardzinov before a panel of three psychiatrists, threatening him with psychiatric detention. The district prosecutor ordered Ardzinov to appear for further questioning the following day. However, under advice from the U.S. Embassy doctor Ardzinov has remained at home to recuperate from his injuries. Human Rights Watch believes that Mikhail Ardzinov is in danger of further mistreatment by the police if he is again brought in for questioning.

"This outrage is a warning to all of Uzbekistan's human rights defenders" said Holly Cartner, Executive Director of Human Rights Watch's Europe and Central Asia Division. "President Karimov wants no witnesses to the mass arbitrary arrests and political trials underway in the country."

Mr. Ardzinov told Human Rights Watch that at approximately 9:30 am on June 25, three plainclothes officers seized him on the street and brought him by car to his apartment, beating him in the chest, ribs, and kidneys on the way. Another six plainclothes officers and two witnesses were waiting at his home. With them was a uniformed investigator from the Tashkent City Police Department (GUVD), Liudmila Vladimirovna Sich. Officers reportedly continued to beat Ardzinov in the sides and lower back as they took him out of the car. He screamed to neighbors for help and at least one neighbor reportedly witnessed the beating.

Under the supervision of Investigator Sich, the officers confiscated all of Ardzinov's human rights documents, including the archives of his organization, his telephone/address book, which likely contained the names of informants and victims whose identities were meant to remain confidential, his passport, his pension card, engineering diploma, and his organizational identification, along with his computer, xerox machine, fax machine, typewriter, all of his blank paper, and his only good suit. They provided no record of what was taken. During the search, the officers reportedly left the apartment in complete disarray. As Ardzinov protested, one officer allegedly punched him in the nose. Then three officers pounced on him, beating him to the floor.

According to Mr. Ardzinov, they continued to kick and beat him as he lay on the floor of his living room and as they transported him to Tashkent police headquarters.

There, Investigator Hatam Yuldashevich Yakubov reportedly subjected Ardzinov to nine continuous hours of interrogation during which more physical violence was threatened. Yakubov refused Ardzinov's repeated requests for medical assistance and denied him access to his lawyer. The investigator informed Ardzinov that he was charged with hooliganism. Yakubov presented him with written testimony from two witnesses describing offensive letters which Ardzinov allegedly wrote them and distributed to other people. One complainant, Vasilia Inoiatova, a human rights activist from a rival group, confronted Ardzinov in person. Investigator Yakubov questioned another person affiliated with Ardzinov's own organization, Rafshan Hamidov, to give testimony against Ardzinov. Hamidov, who has been in police custody since his arrest on May 14, stated that Ardzinov was involved in anti-state activities and was against the government.

Investigator Yakubov did not, however, question Ardzinov about the letters he allegedly wrote, but rather about his human rights organization, his alleged support of Islamists, and his alleged links to exiled opposition leader Mohammed Solih. The government has charged Solih, in exile since 1993, with masterminding the bombings that took place in Tashkent on February 16.

In the course of the interrogation, Investigator Yakubov sent Ardzinov to Tashkent's main psychiatric clinic. Ardzinov, whom Soviet officials subjected to two months of groundless psychiatric detention in 1985, refused to speak with doctors. Afterwards, Yakubov and Lieutenant Colonel Derganinov reportedly continued questioning, threatening Ardzinov with detention in the notorious basement of the MVD, where prisoners in pre-trial detention are often tortured. They released Ardzinov at 11:00 pm, ordering him to appear for questioning the next day.

Human Rights Watch's Tashkent-based representative provided to Detective Yakubov a written record of the U.S. Embassy medical officer's examination of Ardzinov, which recommended strict bed rest. Yakubov refused to rescind the order for Ardzinov to appear for questioning, however, calling the medical report a "fabrication." Ardzinov remains at home and has announced a hunger strike in response to the charges against him.

Mr. Ardzinov was honored by Human Rights Watch in 1996 for his human rights activities in Uzbekistan. Human Rights Watch believes that the arrest, beating, and confiscation of property, which coincide with his advocacy on behalf of individuals painted as government opponents, was intended to curb similar human rights work. The Independent Human Rights Organization of Uzbekistan has continuously provided the international community with information on the Uzbek government's crackdown against adherents of independent Islamic groups.

Human Rights Watch is also concerned that the brutal assault on Mr. Ardzinov is merely the latest in a series of attacks sponsored by the government against him and other human rights defenders. In 1992, for example, security agents admitted to Mr. Ardzinov to having planted an explosive device on the front door of his home which nearly killed him and which caused severe damage to his home. Sub-

sequently, the government has denied him the right to leave the country (which it later lifted under foreign pressure); arbitrarily detained him when he was due to meet with visiting dignitaries or participate in human rights conferences; refused to grant legal status to the human rights organization which he directs; and was complicit in the several physical attacks on him in subsequent years, including only days before his arrest, on June 10. Ardzinov has also been subjected to near constant surveillance since the February 16 bombings in Tashkent. A Human Rights Watch report detailing attacks on human rights activists is forthcoming.

UZBEKISTAN RIGHTS ACTIVIST DISAPPEARS IN CUSTODY; POLICE DETAIN THIRD MEMBER OF INDEPENDENT HUMAN RIGHTS GROUP

(New York, July 11, 1999) Human Rights Watch reported today that the whereabouts of Uzbek rights activist Ismail Adylov remained unknown more than 24 hours after he was detained by police on Saturday, July 10. Police allegedly planted leaflets of a forbidden Islamic organization during a search of Adylov's home. They were evidently preparing to charge him with anti-government activity.

Human Rights Watch considers that Adylov's detention is part of a wider government crackdown on human rights activists, designed to silence criticism of the mass arrests and torture of religious Muslims being carried out by Uzbekistan authorities. "Mr. Adylov has attempted to defend the rights of hundreds of believers who have been harrassed, jailed and tortured by the state," noted Holly Cartner, Executive Director of Human Rights Watch's Europe and Central Asia Division. "Sadly, the Uzbek authorities believe that defending human rights is a crime."

Human Rights Watch is seriously concerned for the physical safety of Adylov. A longtime activist, he is a member of the Independent Human Rights Organization of Uzbekistan, chaired by Mikhail Ardzinov, who was recently brutally beaten by Uzbek authorities during 14 hours in detention. There is a great risk of torture during pre-trial detention in Uzbekistan, particularly in cases where suspects are held incommunicado. In addition, Adylov is ill with kidney disease and was released from hospital treatment only one week before officers took him into custody. He continues to require medical attention.

Human Rights Watch has gathered testimony from numerous people this past week who allege that police have planted leaflets from a banned organization on observant Muslims. In May, authorities charged another member of Adylov's group, Mahbuba Kasymova, with harboring a suspected terrorist after allegedly planting leaflets in her home; her trial is due to begin shortly. Thousands more independent Muslims and self-proclaimed members of Hizb ut-Takhrir (Party of Liberation), a group advocating the re-establishment of the Caliphate through non-violent means, are believed to have been arrested in recent months. On June 14, Tashkent police detained Farkhod Usmanov, reportedly for possession of a leaflet. The son of a well-known imam, Nosir-kori Usmanov, he was held in incommunicado detention for 11 days. On June 25, his body was returned to his family along with a death certificate claiming the 42-year old died of heart failure. Human Rights Watch representatives who viewed the body reported that it was covered with bruises and other markings sug-

gesting Usmanov died from torture in custody.

A Human Rights Watch report documenting harassment and abuse of human rights activists by authorities in Uzbekistan is forthcoming.

Human Rights Watch has pieced together a brief chronicle of Mr. Adylov's detention. At approximately 8:30 pm on July 10, two plainclothes officers of the Ministry of Internal Affairs (MVD) and one officer from the local police precinct came to Adylov's home, demanded his passport, and told him a member of his neighborhood governing council wanted to speak with him. Adylov agreed to accompany the officers along with his wife, Mamura Adylova. When the couple reached the street however, they found three cars with six more officers in civilian clothes waiting. The officers put Adylov into one of the cars, telling his wife that they were taking him to the MVD and that she could see him again the next morning at 11 a.m. However, the next day officials refused even to tell her where he was being held. Uzbek law requires that a person held for questioning by police be released by 11 pm of the day of their detention.

At 12 noon on July 11, Human Rights Watch's representative arrived at the Ministry of Internal Affairs, where a duty officer claimed to have no information regarding Adylov and refused to notify a superior officer who could provide such information. Over 24 hours after authorities detained Adylov, family members and local and international human rights activists have been unable to confirm his wherabouts.

About 1.5 hours after officers took Adylov into custody Saturday evening, 30 additional plainclothes MVD officers came to his home according to family members. Soldiers in uniform carrying machine guns closed off the street surrounding the neighborhood. When Mrs. Adylova refused to let the officers conduct a search without her husband present, they threatened to order the soldiers to attack the house and enter by force. She relented, and they entered without presenting a search warrant. The officers ransacked the family home, confiscated Adylov's human rights documents, and allegedly planted a plastic bag with 100 leaflets of the banned Islamic group Hizb ut-Takhrir in a notebook. Adylov's daughter reported that before the search, when she took her fathers' passport out of that same notebook to give to the police, no leaflets were there.

Authorities earlier threatened to charge Adylov with membership in Hizb ut-Takhrir. In June, a judge presiding over a trial of Hizb ut-Takhrir members publicly threatened to charge Adylov, who was monitoring the trial, with membership in the group.

Adylov, still a member of the governing council of the banned Birlik (Unity) Democratic Party, was repeatedly taken in for questioning in 1991 and 1992 in connection with his political activities. In August 1994 he was held in the basement of the National Security Service (SNB, formerly the KGB) for three days.

UZBEK ACTIVIST SENTENCED TO A FIVE YEAR TERM; HUMAN RIGHTS WATCH CALLS THREE-HOUR TRIAL "A FARCE"

(New York, July 14, 1999)—Human Rights Watch today condemned the 5-year sentence handed down to an independent human rights activist. A Human Rights Watch representative monitored the trial in Tashkent.

Wednesday's conviction of Mahbuba Kasymova, 48, is the latest in a series of government attacks on the Independent Human Rights Organization of Uzbekistan. Eyewitnesses at the trial reported that the prosecutor repeatedly referred to the Independent Human Rights Organization of Uzbekistan (NOPCHU) as "an illegal organization," and accused Kasymova of committing "illegal actions" in connection with her work there. "Mrs. Kasymova's conviction is a farce," said Holly Cartner, Executive Director of Human Rights Watch's Europe and Central Asia Division. "It appears the government of Uzbekistan's goal is to silence all the independent human rights activists."

Kasymova's conviction follows the June 19 death in detention of NOPCHU member Akhmadkhon Turakhonov, the June 25 arrest and beating of NOPCHU chairman Mikhail Ardzinov, and the July 12 arrest of NOPCHU activist Ismail Adylov.

At 9 am on July 12, authorities requested that Mrs. Kasymova come to the courthouse, but did not state that proceedings would begin, thereby depriving her of the right to the counsel of her choice. Judge Erkin Iusupov of the Iunusabad District Court also refused to postpone the hearing so that key witnesses could testify in Kasymova's defense. During the hearing Judge Iusupov ignored evidence presented by Mrs. Kasymova in her own defense.

In May, prosecutors charged Kasymova, a longtime human rights activist and member of the banned Birlik (Unity) Democratic Party, with harboring a criminal, article 241 of the Uzbek criminal code. In June, prosecutors filed additional charges of fraud against Kasymova, in connection with money she claims was borrowed from a neighbor.

On May 12, police arrested Ravshan Khamidov, a friend of the Kasymov family who had been living with them in their Tashkent apartment since November 1998. Authorities have charged Khamidov, who has been in detention since that time, with involvement in the February 16 bombings in Tashkent. Khamidov, who has yet to be tried, denies this allegation, and has also denied being in hiding while living with the Kasymovs in Tashkent. During a search of the Kasymov's home, according to family members, police planted both a hand grenade and forbidden Islamic leaflets in Khamidov's possessions. Human Rights Watch has interviewed nearly one hundred persons in 1998 and 1999 who tell similar stories of evidence planting by police.

The day after Khamidov's arrest, Uzbekistan's state television news program showed Kasymova's picture and described her as a "criminal." Police repeatedly summoned for questioning Kasymova's family members, including her young daughters, and plainclothes police constantly monitored her home. On May 20, police detectives brought Kasymova in for questioning, and then transported her to her neighborhood council headquarters, where she was subjected to a four-hour denunciation session by local activists. When she tried to leave, she was surrounded by four police officers, and forced to stand silently while those present denounced her. The state television news program broadcast portions of this session, again describing Kasymova as a criminal. Uzbek authorities had previously used this technique, reminiscent of Stalinist times, against other human rights activists.

UZBEK TORTURE VICTIMS SENTENCED TO PRISON TERMS; DESCRIBE BRUTAL TORTURE METHODS

(New York, August 18, 1999) — Disregarding allegations of torture, an Uzbek court today convicted six men with ties to a banned political party in a high-profile political trial. The men were sentenced to prison terms ranging from 8 to 15 years for participation in a "criminal society" and for using the mass media to publicly insult the President of Uzbekistan, among other charges.

The attorney for four of the men reported that all six defendants, including the brothers of exiled political opposition leader Muhammad Solih, testified that they had been cruelly and repeatedly tortured. A statement signed by all six claimed that torture methods included electric shocks, beatings with batons and plastic bottles filled with water, and the use of the "bag of death," a plastic bag used to temporarily suffocate victims. Authorities forced all six—Muhammad Bekjanov, Rashid Bekjanov, Kobil Dierov, Mamadali Mahmudov, Ne'mat Sharipov, and Iusuf Ruzimuradov—to sign self-incriminating statements and coerced several to declare their guilt on a government-sponsored national television program.

"This is an appalling example of political persecution," said Holly Cartner, Executive Director of Human Rights Watch's Europe and Central Asia Division. "These men were arrested, tortured and now convicted for possession of a banned newspaper, for their political affiliation and for no other reason."

The six men were convicted because of their alleged affiliation with Erk (Freedom), a political party, founded in 1990 and banned by Uzbek authorities in December 1992. Its leader, Muhammad Solih, was the only candidate to run against President Islam Karimov in the presidential elections of 1991. He was forced into exile in 1994, fleeing arrest on fabricated criminal charges. This latest round of political arrests and convictions comes against a backdrop of widespread arbitrary and discriminatory arrests following the February 16 bombings in Tashkent. The government has publicly implicated Solih as a conspirator in the bombings, a charge he denies.

Uzbek authorities barred local and international observers from attending the trial, including representatives from the OSCE Liaison Office. One defendant, however, managed to deliver a copy of his court testimony to Human Rights Watch. In it, renowned writer Mamadali Mahmudov describes the horrifying torture methods and threats used by Uzbek authorities to force him to confess:

"...in the basement, they regularly beat me...they burned my legs and arms. They put a [gas mask] on me and cut off the air...[and] hung me up by my hands, which they tied behind my back."

"They told me they were holding my wife and daughters and threatened to rape them in front of my eyes."

The other five defendants also reported that authorities threatened to rape their wives. Officers also allegedly threatened to rape Mahmudov and tormented him, describing the various ways in which they would kill him.

Mahmudov's allegations are consistent with Human Rights Watch's documentation of torture methods routinely used by Uzbek authorities. Persons held incommunicado, as Mahmudov and the other defendants were for several months, are particularly at risk for abuse.

Authorities allegedly kept Mahmudov in a basement detention cell, the location of which was unknown even to him, for the first month and a half of his detention.

The state's case focused on the defendants' alleged possession and distribution of Erk (the party's newspaper), which the prosecutor claimed contains slanderous criticisms of the President of Uzbekistan, a violation of the criminal code's article 158 (3). Erk was the last of the opposition newspapers to be published in Uzbekistan before it was banned by the government in 1993. Other charges included conspiracy to overthrow the government and participation in an illegal or banned organization.

Without access to court documents or the presence of trial observers, it remains unclear exactly which articles or statements in the paper the court found objectionable, as do the grounds for the charges. However, the timing of the charges and the conduct of the case point to political motives.

Uzbek authorities' conduct of the arrest and trial of the six men violated domestic criminal procedure and international standards. All were held incommunicado in Uzbekistan for long periods prior to trial. On the first day of the hearings, attended by Human Rights Watch before the proceedings were sealed, the court was forced to postpone the process because the authorities had not acquainted defendants with the charges against them. After the trial had already begun, one defendant stood up and announced that he still was without a lawyer, five months after his arrest.

Mamadali Mahmudov, 50, wrote The Immortal Cliffs, a novel which helped lay the foundation for Uzbek national self-awareness in the late Soviet period. He was twice before arrested on criminal charges in retaliation for his association with Erk. In 1995 he was sentenced to four years in prison, but was later amnestied.

Ne'mat Sharipov, the defendant who received the shortest sentence, eight years, is a businessman who is not a member of Erk and whose only connection to the opposition party was his alleged transport of several copies of a book by Muhammad Solih from Ukraine to Uzbekistan.

Four of the men—Muhammad Bekjanov, Iusuf Ruzimuradov, Kobil Diyarov and Ne'mat Sharipov—were extradited from Ukraine by Uzbek authorities in March.

UZBEKS PURGE MUSLIMS FROM ACADEMIA

(October 20, New York)—Schools and universities throughout Uzbekistan are closing their doors to Muslim men with beards and women in headscarves, Human Rights Watch said today.

In a new report about Uzbekistan, Human Rights Watch documents a pernicious form of religious discrimination practiced by the government against Muslims. The report, Class Dismissed: Discriminatory Expulsions of Muslim Students describes the government's zero-tolerance policy toward Muslim students who wear headscarves and beards. Government officials have unceremoniously expelled the students from schools and universities. Most of those expelled were girls and young women.

"The government of Uzbekistan is assaulting religious freedom from all sides," said Holly Cartner, executive director of the Europe and Central Asia division of Human Rights Watch. "The expulsion of Muslim students is yet another aspect of this campaign."

In some cases, university officials have joined state security agents to intimidate and harass Muslim students who persisted in wearing religious attire, and their families. The Ministry of State Security (the successor to the KGB) has threatened some students, and warned their parents of being fired from their jobs.

The discriminatory policy is part of the Karimov government's crackdown on Muslims not affiliated with government-sanctioned mosques. Since late 1997, police and security forces have arrested thousands of Muslims who do not adhere to officially-sanctioned Islam or do not attend government-approved mosques. Police have planted evidence on suspects and beaten detainees. Judges presided over blatantly unfair trials, ignoring police misdeeds and convicting men on the basis of their religious beliefs.

The Uzbek government has claimed that the students' religious attire identifies them as members of "Wahabi" sects seeking to establish an Islamic state. Yet none of the students claimed affiliation with "Wahabism," and none was charged with any violent act or with disrupting public order.

Last month, the U.S. State Department criticized Uzbekistan for its religious practices in its first report on religious freedom around the world. Prior to the report's release, the Uzbek government released five Christians imprisoned for their religious beliefs. It did not release any Muslim detainees.

The report can be found at http://www.hrw.org/reports/1999/uzbekistan.

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